

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ROBERT CRAIG REASONER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 73562

**FILED**

MAR 14 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*


Robert Craig Reasoner appeals from a judgment of conviction, entered pursuant to a guilty plea, of attempted possession of a controlled substance. First Judicial District Court, Carson City; James Todd Russell, Judge.

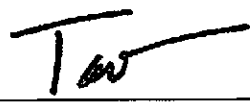
Reasoner argues the district court abused its discretion by denying him the opportunity for diversion under NRS 453.3363(1). Reasoner claims he had a limited criminal history, was under stress of being the head of the family, suffers from addiction which he has been treating since his arrest, previously had stable employment with the State, and would complete drug court as a term of the diversion.

The district court has wide discretion in its sentencing decision. *See Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987). We will not interfere with the sentence imposed by the district court "[s]o long as the record does not demonstrate prejudice resulting from consideration of information or accusations founded on facts supported only by impalpable or highly suspect evidence." *Silks v. State*, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976).

Reasoner fails to demonstrate the district court abused its discretion. Diversion under NRS 453.3363(1) is discretionary. Reasoner fails to demonstrate his sentence resulted from consideration of information or accusations based on facts supported only by impalpable or highly suspect evidence. Further, Reasoner's sentence was within the parameters of the sentencing statutes. See NRS 193.330(1)(a)(6); NRS 453.336(2)(c). Accordingly, we

ORDER the judgment of conviction AFFIRMED.

 C.J.  
Silver

 J.  
Tao

 J.  
Gibbons

cc: Hon. James Todd Russell, District Judge  
State Public Defender/Carson City  
Attorney General/Carson City  
Carson City District Attorney  
Carson City Clerk