

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RICHARD LEE CHADA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 75154-COA

FILED

MAR 14 2019

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

ORDER OF AFFIRMANCE

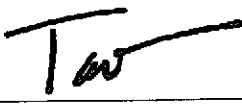
Richard Lee Chada appeals from a judgment of conviction entered pursuant to a guilty plea of driving under the influence (DUI) third offense in seven years. First Judicial District Court, Carson City; James E. Wilson, Judge.


Chada argues the district court abused its discretion by revoking his DUI treatment program for violating the conditions of the program. Chada acknowledges he violated the conditions by driving with a suspended license and doing so without a breath ignition interlock device in his vehicle, but contends he was merely driving to the testing site for the treatment program. Chada also asserts the district court should have reinstated him to the program because he suffered from health problems, the testing site was not close to his residence, and he did not have access to public transportation to the testing site.


The decision to revoke the treatment program is within the discretion of the district court. NRS 484C.340(5)(b) (stating the district court “[m]ay enter a judgment of conviction and proceed as provided in paragraph (c) of subsection 1 of NRS 484C.400 for a violation of a condition ordered by the court.”). At the revocation hearing, Chada acknowledged he

had violated the terms of the treatment program. The district court explained Chada had been told not to drive a vehicle and found that he was “a serious risk to the community.” The district court concluded Chada’s conduct was not as good as required and revoked his treatment program. *See id.* Chada failed to demonstrate the district court abused its discretion in this regard. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Tao


_____, J.
Gibbons


_____, J.
Bulla

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