

IN THE SUPREME COURT OF THE STATE OF NEVADA

ERIC ANTHONY BUHL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 75441

FILED

APR 30 2019

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

ORDER OF AFFIRMANCE


Eric Buhl appeals from the judgment of conviction following his guilty plea to first-degree murder. First Judicial District Court, Carson City; James E. Wilson, Judge. Buhl was sentenced to life with the possibility of parole after 20 years under NRS 200.030(4)(b)(2), but argues that, given his traumatic childhood, the district court should have sentenced him to a definite term of 20 to 50 years. We affirm.


“[W]e afford the district court wide discretion in its sentencing decision.” *Allred v. State*, 120 Nev. 410, 420, 92 P.3d 1246, 1253 (2004), *limited on other grounds by Knipes v. State*, 124 Nev. 927, 192 P.3d 1178 (2008). Buhl urges us to reconsider that deference, *see, e.g., Sims v. State*, 107 Nev. 438, 442, 814 P.2d 63, 65 (1991) (Rose, J., dissenting) (expressing concern that “the part of the criminal process that has the greatest ultimate effect on the defendant—the imposition of his or her sentence—is the part we decline to review”), but this would violate *stare decisis* and is unwarranted in this case.

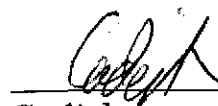
The sentence the district court imposed was within the range authorized by law. In imposing it, the district court considered Buhl’s age, lack of criminal history, choice to plead guilty, and his “terribly traumatic

childhood.” We find no abuse of discretion in the district court’s decision to sentence Buhl to life in prison with the possibility of parole after 20 years, rather than a definite term of 20 to 50 years, for beating a child to death. *See id.* at 440, 814 P.2d at 64 (majority op.) (upholding a district court’s sentence within the statutory guidelines because it is not the “proper role of this court to be that of an appellate sentencing body”). Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Pickering


_____, J.
Parraguirre


_____, J.
Cadish

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