

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JEREMY ALAN LUDLOW,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 76628-COA

**FILED**

MAY 17 2019

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*


Jeremy Alan Ludlow appeals from a judgment of conviction entered pursuant to a guilty plea for felon in possession of a firearm. Sixth Judicial District Court, Humboldt County; Michael Montero, Judge.


Ludlow argues the district court abused its discretion by sentencing him to a prison term rather than placing him on probation. We review a district court's sentencing decision for an abuse of discretion. *Chavez v. State*, 125 Nev. 328, 348, 213 P.3d 476, 490 (2009). 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).

At the sentencing hearing, the district court concluded a term of 19 to 48 months in prison was the appropriate sentence. The sentence falls within the parameters of the relevant statute, *see* NRS 202.360(1), and Ludlow does not allege the district court relied upon impalpable or highly suspect evidence when it imposed sentence. Additionally, it was within the district court's discretion to decline to place Ludlow on probation. *See* NRS

176A.100(1)(c). Considering the record before this court, we conclude Ludlow fails to demonstrate the district court abused its discretion when imposing sentence. Accordingly, we

ORDER the judgment of conviction AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Michael Montero, District Judge  
Humboldt County Public Defender  
Attorney General/Carson City  
Humboldt County District Attorney  
Humboldt County Clerk