


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JACQUELINE ZAMBRANO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 75807-COA

**FILED**

JUL 16 2019

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Jacqueline Zambrano appeals from a judgment of conviction entered pursuant to a guilty plea of conspiracy to commit robbery, robbery with the use of a deadly weapon, and burglary while in possession of a deadly weapon. Eighth Judicial District Court, Clark County; Tierra Danielle Jones, Judge.

Zambrano claims the district court abused its discretion at sentencing by not awarding her credit for time served in presentence confinement in this case. She asserts “she is entitled to credit for the time spent in custody on the instant offense from the date of her arrest on June 14, 2016, until her sentencing on March 26, 2018, for a total of 651 days.” And she argues “[t]he lower court’s refusal to grant any credit for time served in the instant case because credit was granted in case C-16-312638-1 is wrong.”


We review a district court’s sentencing decision for abuse of discretion. *Chavez v. State*, 125 Nev. 328, 348, 213 P.3d 476, 490 (2009). A defendant is only entitled to presentence credit for the amount of time actually spent in confinement. NRS 176.055(1) allows a district court to credit a defendant’s sentence “for the amount of time which the defendant


has actually spent in confinement.” See *State v. Second Judicial Dist. Court (Jackson)*, 121 Nev. 413, 416, 116 P.3d 834, 836 (2005) (further defining the district court’s authority to award credit for time spent in pretrial confinement).

Here, the record on appeal demonstrates that the 651 days Zambrano served in presentence confinement between June 14, 2016, and March 26, 2018, was applied to her sentence in district court case number C-16-312638-1. Consequently, she has already received credit for this period of presentence confinement and she is not entitled to additional presentence credit in the instant case. Therefore, the district court did not abuse its discretion at sentencing, and we

ORDER the judgment of conviction AFFIRMED.

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

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

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

cc: Hon. Tierra Danielle Jones, District Judge  
Law Offices of Martin Hart, LLC  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk