

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TOMISHA TYRONDA MONTGOMERY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 69466

FILED

MAY 17 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction entered pursuant to a guilty plea of two counts of child abuse, neglect, or endangerment. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.


Appellant Tomisha Montgomery claims the district court abuse its discretion at sentencing by imposing consecutive sentences because the aggregate sentence of 37 to 144 months in prison was too harsh.

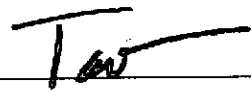
It is within the district court's discretion to impose consecutive sentences. See NRS 176.035(1); *Warden v. Peters*, 83 Nev. 298, 303, 429 P.2d 549, 552 (1967); *Pitmon v. State*, 131 Nev. ___, ___, 352 P.3d 655, 660 (2015) ("[I]t cannot be said that NRS 176.035(1) was intended to require that a person facing sentencing for two different offenses should be awarded concurrent sentences rather than consecutive ones."). See generally *Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987) ("The sentencing judge has wide discretion in imposing a sentence"). This court will refrain from interfering with the sentence imposed "[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).

The sentence imposed in this case is within the parameters provided by the relevant statute, see NRS 200.508(1)(b)(1), and we conclude the district court did not abuse its discretion in imposing consecutive sentences considering the severity of the abuse and neglect suffered by the child victims in this case. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. Connie J. Steinheimer, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk