

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TERESA SUE OTERO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 79627-COA

FILED

MAY 27 2020

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

ORDER OF REVERSAL AND REMAND

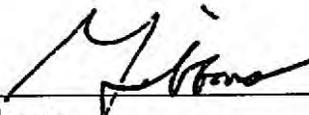
Teresa Sue Otero appeals from a judgment of conviction entered pursuant a guilty plea of burglary and grand larceny. Second Judicial District Court, Washoe County; Lynne K. Simons, Judge.

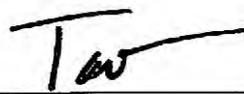
Otero claims the district court abused its discretion by imposing a single habitual criminal sentence for her two criminal convictions. The State concedes the error. We review for abuse of discretion. *See Chavez v. State*, 125 Nev. 328, 348, 213 P.3d 476, 490 (2009).

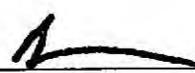
Although the district court may impose concurrent sentences for multiple convictions, *see* NRS 176.035(1), the district court must sentence a defendant to definite terms for each conviction, *see* NRS 176.033(1); *Powell v. State*, 113 Nev. 258, 264 n.9, 934 P.2d 224, 228 n.9 (1997); *Hollander v. State*, 82 Nev. 345, 353, 418 P.2d 802, 806-07 (1966).

We conclude the district court abused its discretion by failing to sentence Otero to definite terms for each of her convictions. Consequently, Otero's sentence must be reversed and her case remanded so that the district court can resentence her to definite terms for each of her convictions. Accordingly, we

ORDER the judgment of conviction REVERSED AND
REMAND this matter to the district court for proceedings consistent with
this order.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Lynne K. Simons, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk