

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DIEGO DANIEL ESCOBEDO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 79111-COA

FILED

JUL 13 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Diego Daniel Escobedo appeals from a judgment of conviction, entered pursuant to a guilty plea, of trafficking in a schedule I controlled substance and ex-felon in possession of a firearm. First Judicial District Court, Carson City; James E. Wilson, Judge.

Escobedo contends the district court abused its discretion by imposing consecutive sentences. It is within the district court's discretion to impose consecutive sentences. *See* NRS 176.035(1); *Pitmon v. State*, 131 Nev. 123, 128-29, 352 P.3d 655, 659 (Ct. App. 2015); *see also 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 sentences imposed in this case are within the parameters provided by the relevant statutes. *See* NRS 202.360(1); NRS 453.3385(1)(a). And Escobedo does not allege that the court considered information or accusations founded on facts supported only by impalpable or highly suspect

evidence. To the extent Escobedo suggests his sentences were based on improper sentencing recommendations in the presentence investigation report, we note that the sentencing court did not follow the recommendations therein. Accordingly, we

ORDER the judgment of conviction AFFIRMED.

 C.J.
Gibbons

 J.
Tao

 J.
Bulla

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