

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JONATHAN WEBB BRADY,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 81709-COA

**FILED**

**FEB 19 2021**

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

*ORDER OF AFFIRMANCE*

Jonathan Webb Brady appeals from a judgment of conviction entered pursuant to a nolo contendere plea of possession of a stolen motor vehicle. Fourth Judicial District Court, Elko County; Alvin R. Kacin, Judge.


Brady argues that the district court abused its discretion by imposing his sentence to run consecutively to a sentence imposed in a separate case. Brady argues that doing so delays his ability to enter drug rehabilitation. 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 sentence imposed in this case of 19 to 48 months is within the parameters provided by the relevant statutes. *See* NRS 205.273(3); NRS 193.130(2)(c). Moreover, because Brady does not allege—nor does the

record reflect—the district court’s reliance on impalpable or highly suspect evidence when imposing Brady’s sentence, we conclude the district court did not abuse its discretion by imposing consecutive sentences. Accordingly, we

ORDER the judgment of conviction AFFIRMED.

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

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

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

cc: Hon. Alvin R. Kacin, District Judge  
Elko County Public Defender  
Attorney General/Carson City  
Elko County District Attorney  
Elko County Clerk