


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

THERMAN JOE PORCHE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 82741-COA

FILED

OCT 07 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Therman Joe Porche appeals from a judgment of conviction, entered pursuant to a guilty plea, of possession of a stolen vehicle. First Judicial District Court, Carson City; James E. Wilson, Judge.


Porche argues the district court abused its discretion by sentencing him to serve a prison term rather than assigning him to a program of treatment for his drug issues. The district court has wide discretion in its sentencing decision. *See Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987). We will not interfere with a sentence imposed by the district court that falls within the parameters of relevant sentencing statutes “[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 district court listened to the arguments of the parties and concluded that it was not appropriate to assign Porche to a program of treatment. The district court’s decision to deny Porche’s request for assignment to a program of treatment was within its discretion. *See* NRS 176A.230. Moreover, the sentence of 18 to 60 months in prison was within

the parameters provided by the relevant statutes. See NRS 193.130(2)(c); NRS 205.273(3). And Porche does not allege that the district court relied on impalpable or highly suspect evidence. Having considered the sentence and the crime, we conclude the district court did not abuse its discretion in sentencing Porche. 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