

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TEVIN RAESHAUN JOHNSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 82560-COA

FILED

OCT 07 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Tevin Raeshaun Johnson appeals from a judgment of conviction, entered pursuant to a guilty plea, of first-degree murder. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.


Johnson claims his sentence amounts to cruel and unusual punishment because it was so disproportionate to the offense and the mitigating factors that it shocks the conscience. Regardless of its severity, “[a] sentence within the statutory limits is not ‘cruel and unusual punishment unless the statute fixing punishment is unconstitutional or the sentence is so unreasonably disproportionate to the offense as to shock the conscience.’” *Blume v. State*, 112 Nev. 472, 475, 915 P.2d 282, 284 (1996) (quoting *Culverson v. State*, 95 Nev. 433, 435, 596 P.2d 220, 221-22 (1979)); see also *Harmelin v. Michigan*, 501 U.S. 957, 1000-01 (1991) (plurality opinion) (explaining the Eighth Amendment does not require strict proportionality between crime and sentence; it forbids only an extreme sentence that is grossly disproportionate to the crime).

Johnson’s sentence of life in prison without the possibility of parole is within the parameters provided by the relevant statute, see NRS 200.030(4)(b)(1), and Johnson does not allege that statute is

unconstitutional. We conclude the sentence imposed is not grossly disproportionate to the crime and does not constitute cruel and unusual punishment. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Connie J. Steinheimer, District Judge
Orrin Johnson Law
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk