

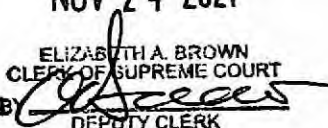
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MICHAEL CHRISTOPHER WRIGHT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 82905-COA

FILED

NOV 24 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Michael Christopher Wright appeals from a judgment of conviction entered pursuant to a guilty plea of grand larceny of a motor vehicle. Second Judicial District Court, Washoe County; Kathleen M. Drakulich, Judge.

Wright claims the district court abused its discretion by sentencing him to a prison term instead of probation. The granting of probation is discretionary. *See* NRS 176A.100(1)(c); *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 18-to-48-month prison sentence imposed by the district court was within the parameters provided by the relevant statutes. *See* 1999 Nev. Stat., ch. 288, § 1, at 1186-87 (former NRS 193.130(2)(c)); 2011 Nev. Stat., ch. 41, § 15, at 164 (former NRS 205.228(2)). Moreover, Wright does not allege that the district court relied on impalpable or highly suspect

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evidence. Having considered the record before this court, we conclude the district court did not abuse its discretion by declining to suspend the sentence and place Wright on probation. Therefore, this claim is without merit.


Wright also claims he is entitled to relief because he received ineffective assistance of counsel at sentencing. An ineffective-assistance-of-counsel claim is generally inappropriate on direct appeal, and Wright has failed to demonstrate his claim falls into an exception to that general rule. *See Pellegrini v. State*, 117 Nev. 860, 883, 34 P.3d 519, 534 (2001) (“[W]e have generally declined to address claims of ineffective assistance of counsel on direct appeal unless there has already been an evidentiary hearing or where an evidentiary hearing would be unnecessary.”), *abrogated on other grounds by Rippo v. State*, 134 Nev. 411, 423 n.12, 423 P.3d 1084, 1097 n.12 (2018). Thus, we decline to consider this claim.

For the foregoing reasons, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Kathleen M. Drakulich, District Judge
Ben Gaumond Law Firm, PLLC
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk