

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

COREY CORTEZ DUPREE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 82924-COA

**FILED**

NOV 24 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Corey Cortez Dupree appeals from a judgment of conviction, entered pursuant to a guilty plea, of possession of stolen property. Second Judicial District Court, Washoe County; David A. Hardy, Judge.


Dupree contends the district court abused its discretion by sentencing him to a prison term rather than 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).

Dupree’s sentence of 24 to 60 months in prison is within the parameters provided by the relevant statutes, *see* NRS 193.130(2)(c); NRS 205.275(2)(b), and Dupree does not allege that the district court relied on impalpable or highly suspect evidence. The district court listened to the arguments of the parties and noted Dupree’s extensive criminal history. In light of that and the facts of the instant offense, we conclude the district


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court did not abuse its discretion by declining to suspend the sentence and place Dupree on probation. Accordingly, we

ORDER the judgment of conviction AFFIRMED.

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

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

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

cc: Hon. David A. Hardy, District Judge  
Washoe County Public Defender  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk