

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JAYDEN WIGGINS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 89583-COA

FILED

JUL 01 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Jayden Wiggins appeals from a judgment of conviction, entered pursuant to a guilty plea, of two counts of robbery and one count of burglary of a motor vehicle while in possession of a firearm. Eighth Judicial District Court, Clark County; Eric Johnson, Judge.

Wiggins argues his sentence constitutes cruel and unusual punishment. In support of his argument, he highlights that he was a juvenile when he committed the crimes, accepted responsibility, had no previous felony or gross misdemeanor convictions, sought psychological help to deal with his issues pending sentencing, had a traumatic childhood, and lacked guidance due to his father being in prison and his uncle dying when he was young. He also mentions the fact that his co-offenders received much lesser sentences.

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*,

25-28729

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).

Here, the district court imposed consecutive prison sentences of 4 to 10 years for the two robbery counts; the court imposed a consecutive prison sentence of 6 to 15 years for the burglary count and ordered that sentence suspended and that Wiggins be placed on probation.¹ Wiggins does not allege that the sentences imposed exceed the limits of the sentencing statutes or that those statutes are unconstitutional. *See* NRS 200.380(2); NRS 205.060(5). And we conclude he does not demonstrate that the sentences imposed are grossly disproportionate to the crimes or that his sentence constitutes cruel and unusual punishment. Accordingly, Wiggins is not entitled to relief on this claim,² and we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

¹The district court ordered that the period of probation not exceed five years.

²Wiggins also argues the district court demonstrated bias by closing its mind to the mitigation evidence he presented. Because the record shows the district court did not close its mind to the presentation of evidence at the sentencing hearing, Wiggins has not demonstrated bias. *See Cameron v. State*, 114 Nev. 1281, 1283, 968 P.2d 1169, 1171 (1998).

cc: Hon. Eric Johnson, District Judge
Adras & Altig Attorneys at Law
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk