

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MICHAEL ANTHONY CARL, SR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 89567-COA

FILED

JUL 30 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *Elizabeth A. Brown*
DEPUTY CLERK

ORDER OF AFFIRMANCE

Michael Anthony Carl, Sr., appeals from a judgment of conviction, entered pursuant to a guilty plea, of luring or attempting to lure a child with the use of computer technology to engage in sexual conduct. Second Judicial District Court, Washoe County; Kathleen A. Sigurdson, Judge.

Carl argues the district court abused its discretion by imposing a 24-to-60-month prison sentence to run consecutively to his prison sentence in another case. Carl contends the court failed to give due consideration to his mitigation evidence regarding his extraordinarily difficult circumstances, including the death of his daughter, his traumatic childhood, and his history of substance abuse. Carl also contends the court failed to give due consideration to his allocution because "the court was clearly ready" to impose his sentence "without allowing" him to speak in allocution.

The district court has wide discretion in its sentencing decision, including the decision to impose consecutive sentences. See NRS 176.035(1); *Pitmon v. State*, 131 Nev. 123, 128-29, 352 P.3d 655, 659 (Ct. App. 2015); see also *Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987) (“The sentencing judge has wide discretion in imposing a sentence”). Generally, this court 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); see *Cameron v. State*, 114 Nev. 1281, 1283, 968 P.2d 1169, 1171 (1998).

The sentence imposed in this case is within the parameters provided by the relevant statute. See NRS 201.560(4)(a). And Carl does not allege the court relied on impalpable or highly suspect evidence. Prior to imposing sentence, the court considered Carl’s criminal history and reviewed the psychosexual evaluation conducted on Carl, which included information reflecting his history of childhood neglect and abuse. In addition, the court heard the arguments of the parties and information regarding Carl’s substance abuse history and the loss of his daughter. There is no indication the district court failed to consider these arguments or the mitigating evidence before it. Further, while the prosecutor reminded the court of Carl’s right to allocution because he “could see [the

court] moving toward sentencing,” there is no indication the district court failed to consider Carl’s allocution. In light of these circumstances, we conclude the district court did not abuse its discretion in imposing Carl’s sentence. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

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