

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOSEPH MICHAEL BAIRD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 90073-COA

FILED

JUL 30 2025

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

ORDER OF AFFIRMANCE

Joseph Michael Baird appeals from a judgment of conviction, entered pursuant to a guilty plea, of failure to stop a motor vehicle on signal of a peace officer with endangerment to person or property and possession of a stolen motor vehicle. Ninth Judicial District Court, Douglas County; Thomas W. Gregory, Judge.

Baird argues the district court abused its discretion at sentencing by failing to consider his individual circumstances. Baird contends that the sentencing court's consideration was "perfunctory" and that the matter should be reversed so the district court can "thoroughly consider" his request for treatment and probation.


The district court has wide discretion in its sentencing decision, and in this matter, the granting of probation was discretionary. See NRS 176A.100(1)(c); *Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987). 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).

Baird was sentenced to 28 to 72 months in prison for the failure to stop count and 24 to 60 months in prison for the possession count. The sentences imposed are within the parameters provided by the relevant statutes. *See* NRS 484B.550(3); NRS 205.273(3); NRS 193.130(2)(c). And Baird does not allege the district court relied on impalpable or highly suspect evidence. Moreover, the record does not indicate the district court failed to consider Baird's individual circumstances. Rather, the district court heard the parties' arguments, including the fact that Baird had been accepted into a treatment program in California, and stated that it had reviewed Baird's sentencing memorandum, his psychological evaluation, and the presentence investigation report. The district court further stated that it had "fully considered" Baird's request for probation, but that it was imposing the above sentence due to the facts and circumstances of the case as well as Baird's criminal history, which includes 12 prior felony convictions. Having considered the sentence and the crime, we conclude the district court did not abuse its discretion in sentencing Baird. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

cc: Hon. Thomas W. Gregory, District Judge
Matt Stermitz Law, LLC
Attorney General/Carson City
Douglas County District Attorney/Minden
Douglas County Clerk