IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD ROBERT TRELEASE, JR., Appellant, vs. THE STATE OF NEVADA, Respondent.	No. 39755
RICHARD ROBERT TRELEASE, JR., Appellant, vs. THE STATE OF NEVADA, Respondent.	No. 39763
RICHARD ROBERT TRELEASE, JR., Appellant, vs. THE STATE OF NEVADA, Respondent.	No. 39764

FILED

AUG 21 2002

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

These are appeals from judgments of conviction, pursuant to guilty pleas. In docket number 39755, appellant was convicted of one count of attempted home invasion and sentenced to a prison term of 12 to 36 months. In docket number 39763, appellant was convicted of one count of grand larceny and two counts of burglary. The district court sentenced appellant to a prison term of 12 to 48 months for grand larceny, and to prison terms of 22 to 96 months for burglary. In docket number 39764, appellant was convicted of one count of burglary, and sentenced to a prison term of 16 to 120 months. The district court ordered that all of the sentences be served consecutively.

Appellant's sole contention on appeal is that the district court abused its discretion by sentencing appellant to consecutive sentences,

and that the combined minimum of 7 years is too harsh.[1] We conclude that appellant's contention is without merit.

This court has consistently afforded the district court wide discretion in its sentencing decision.[2] 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."[3] Moreover, a sentence within the statutory limits is not cruel and unusual punishment where the statute itself is constitutional, and the sentence is not so unreasonably disproportionate as to shock the conscience.[4]

In the instant case, appellant does not allege that the district court relied on impalpable or highly suspect evidence or that the relevant statutes are unconstitutional. Further, we note that the sentences imposed are within the parameters provided by the relevant statutes.[5]

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[1]To the extent that appellant attempts to argue that his guilty plea was invalid, that claim needs to be raised in the district court in the first instance. See Bryant v. State, 102 Nev. 268, 721 P.2d 364 (1986).

[2]See Houk v. State, 103 Nev. 659, 747 P.2d 1376 (1987).

[3]Silks v. State, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976).

[4]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)).

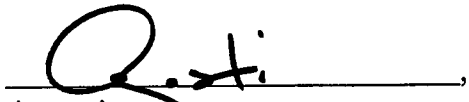
[5]See NRS 205.067(2); NRS 193.330(1)(a)(3); NRS 193.130(2)(c); NRS 205.228(2); NRS 205.060(2).

Moreover, it is within the district court's discretion to impose consecutive sentences.[6]

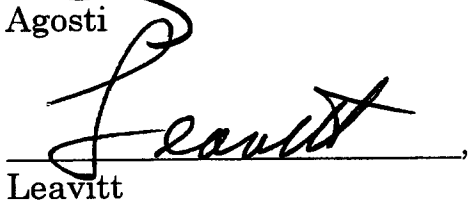
Having considered appellant's contention and concluded that it is without merit, we

ORDER the judgment of conviction AFFIRMED.

_____, J.
Young



_____, J.
Agosti



_____, J.
Leavitt

cc: Hon. Connie J. Steinheimer, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

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[6]See NRS 176.035(1); Warden v. Peters, 83 Nev. 298, 429 P.2d 549 (1967).