

IN THE SUPREME COURT OF THE STATE OF NEVADA

SHELLEY LOVELESS CHASE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43677

FILED

DEC 02 2004

ORDER OF AFFIRMANCE

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. B. Bland*
CHIEF DEPUTY CLERK

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of felony driving while under the influence of alcohol (DUI). Second Judicial District Court, Washoe County; Steven P. Elliott, Judge. The district court sentenced appellant Shelley Loveless Chase to serve a prison term of 12 to 30 months.

Chase's sole contention is that the district court erred in using her prior 2003 DUI conviction for enhancement purposes. Specifically, Chase argues that the Sparks Municipal Court records provided by the State as proof of the prior conviction were inadequate because an actual judgment of conviction was not produced. We disagree.

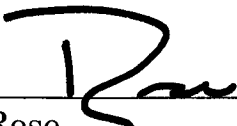
A prior misdemeanor DUI conviction need not be shown by a certified copy of a judgment of conviction, but may be shown by certified copies of docket sheets and other court documents so long as they demonstrate that the defendant was convicted of a misdemeanor DUI in the prior proceeding.¹ After reviewing the documents presented to the

¹See Pettipas v. State, 106 Nev. 377, 379, 794 P.2d 705, 706 (1990); see also Isom v. State, 105 Nev. 391, 394, 776 P.2d 543, 546 (1989) (evidence of citation and plea of nolo contendere sufficient evidence of prior misdemeanor conviction).

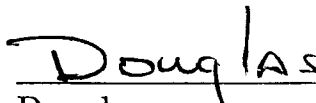
district court, we conclude that they sufficiently prove that Chase suffered a prior conviction, and that the spirit of constitutional principles was respected in the prior misdemeanor proceeding.²

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

ORDER the judgment of conviction AFFIRMED.


_____, J.
Rose


_____, J.
Maupin


_____, J.
Douglas

cc: Hon. Steven P. Elliott, District Judge
Washoe County Public Defender
Attorney General Brian Sandoval/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

²See Davenport v. State, 112 Nev. 475, 915 P.2d 878 (1996).