

IN THE SUPREME COURT OF THE STATE OF NEVADA

JERAMIE RAYMOND CARLSSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 45834

FILED

MAR 24 2006

DIANETTE M. BLOOM
CLERK OF SUPREME COURT
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, entered pursuant to a guilty plea, of one count of possession of a stolen vehicle and one count of eluding a police officer. Second Judicial District Court, Washoe County; Steven P. Elliott, Judge. The district court sentenced appellant Jeramie Raymond Carlsson to serve two concurrent prison terms of 24 to 60 months and imposed this sentence to run consecutively to the sentences Carlsson received in other cases.

Carlsson's sole contention on appeal is that the district court abused its discretion by imposing a sentence that was excessive. We disagree.

This court has consistently afforded the district court wide discretion in its sentencing decision.¹ 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."² Moreover, a sentence within the statutory limits is not

¹See Houk v. State, 103 Nev. 659, 747 P.2d 1376 (1987).

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

cruel and unusual punishment where the statute itself is constitutional, and the sentence is not so unreasonably disproportionate to the crime as to shock the conscience.³

In the instant case, Carlsson 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 sentence imposed is within the parameters provided by the relevant statutes,⁴ and that Carlsson was informed of the potential penalties for his crimes prior to entering his guilty plea.

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

ORDER the judgment of conviction AFFIRMED.

Douglas, J.
Douglas

Becker, J.
Becker

Parraguirre, J.
Parraguirre

³Blume 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)).

⁴See NRS 193.130(2)(c) (category C felonies are punishable by a prison term of 1 to 5 years); NRS 205.273(3) (possession of a stolen vehicle is a category C felony); NRS 484.348(3)(b) (eluding a police officer in a manner which endangers others is punishable by a prison term of 1 to 6 years).

cc: Hon. Steven P. Elliott, District Judge
Jenny Hubach
Attorney General George Chanos/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk