

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANICET AMOUSSOU,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 46064

**FILED**

FEB 17 2006

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

ORDER OF AFFIRMANCE AND LIMITED REMAND TO CORRECT  
THE JUDGMENT OF CONVICTION

This is an appeal from a district court order revoking probation. Eighth Judicial District Court, Clark County; Jackie Glass, Judge.

Appellant Anicet Amoussou was convicted, pursuant to a jury verdict, of malicious injury to a vehicle, a gross misdemeanor.<sup>1</sup> During sentencing, Amoussou informed the district court that he was a professional boxer and that his livelihood would be jeopardized if he were placed on probation. And he requested that he not be placed on probation. In an attempt to accommodate Amoussou's request, the district court deferred entering judgment and placed Amoussou on "informal probation" for a period of six months. The district court told Amoussou that if he stayed out of trouble, paid \$679.24 in restitution, paid a \$1,000 fine, and completing an anger management program "everything will be fine;"

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<sup>1</sup>See NRS 193.155(2); NRS 205.274(1).

however, if he failed to do these things he would be sentenced to 90 days in jail. A year later, during a bench warrant return, Amoussou admitted that he had not yet finished paying restitution, and the district court revoked his informal probation and sentenced him to 90 days in the county jail. This appeal follows.

Amoussou contends that his due process rights were violated when the district court failed to make a record regarding his new criminal charge and did not conduct a hearing to inquire as to his progress in meeting the conditions of probation before revoking his informal probation and imposing the jail sentence. We conclude that Amoussou's contention is without merit.

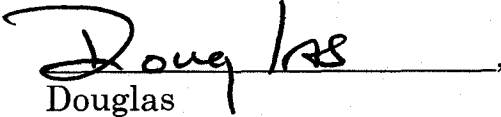
Given that the deferred sentence was imposed at Amoussou's request, he will not now be heard to complain that he did not receive due process when the district court finally imposed his jail sentence.<sup>2</sup>

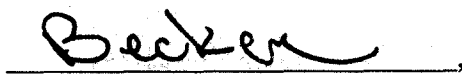
Having considered Amoussou's contention and concluded that it lacks merit, we affirm the judgment of conviction. However, our review of the record reveals a clerical error. The judgment of conviction states that Amoussou was convicted pursuant to a guilty plea when, in fact, he was convicted pursuant to a jury verdict. Accordingly, we

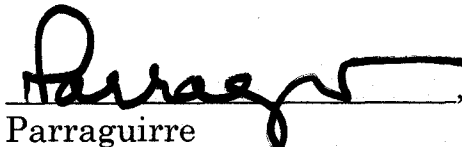
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<sup>2</sup>See NRAP 4(b)(2) ("The district court shall enter a written judgment of conviction within ten (10) days after sentencing." (emphasis added)).

ORDER the judgment of the district court AFFIRMED and REMAND this matter to the district court for the limited purpose of correcting the judgment of conviction.

 J.  
Douglas

 J.  
Becker

 J.  
Parraguirre

cc: Honorable Jackie Glass, District Judge  
Clark County Public Defender Philip J. Kohn  
Attorney General George Chanos/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk