

IN THE SUPREME COURT OF THE STATE OF NEVADA

DANIAL ROBERT MARSH,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 47084

FILED

JUL 27 2006

ORDER OF AFFIRMANCE

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

This is an appeal from a judgment of conviction, entered pursuant to a guilty plea, of failure by a sex offender to notify authorities of his change of address. Second Judicial District Court, Washoe County; Janet J. Berry, Judge. The district court sentenced appellant Danial Robert Marsh to serve a prison term of 12 to 30 months. The district court further ordered the sentence suspended and placed Marsh on probation for a period not to exceed 24 months.

Marsh contends that the district court abused its discretion by imposing special conditions of probation that do "not fit the nature of the offense." Specifically, Marsh claims that district court imposed special conditions of probation that are appropriate for sex offenses,¹ but are inappropriate for the offense of failure by a sex offender to notify authorities of his change of address. We disagree.


NRS 176A.400(1) provides in part that "In issuing an order granting probation, the court may fix the terms and conditions thereof, including, without limitation . . . [a]ny reasonable conditions to protect the


¹See NRS 176A.410(1) (listing the required special terms and conditions for sex offenders who have been granted probation).

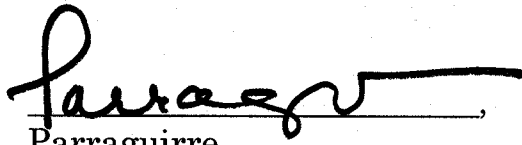
health, safety or welfare of the community." And we have previously held that the provisions NRS 176A.400 and 176A.450 confer broad and virtually unlimited discretion upon the district courts in fashioning appropriate conditions of probation.²

In light of the crime for which Marsh was convicted, we conclude that the district court did not abuse its discretion by imposing conditions of probation drawn from NRS 176A.410(1). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

 _____, J.
Douglas

 _____, J.
Becker

 _____, J.
Parraguirre

cc: Hon. Janet J. Berry, District Judge
Washoe County Public Defender
Attorney General George Chanos/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

²Creps v. State, 94 Nev. 351, 360-61, 581 P.2d 842, 848-49 (1978).