

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 34856

LAWRENCE KEVIN GOSHORN,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

MAY 10 2000

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

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of attempted possession of a controlled substance. Appellant was sentenced to twelve (12) to thirty months (30) in prison. The sentence was suspended and appellant was placed on probation for a period not to exceed three years.

Appellant contends the district court abused its discretion when it imposed, as a condition of probation, a requirement that appellant submit to a search of his person for possession of stolen property. Specifically, he asserts that because his conviction is for a narcotics offense there is no basis to allow the State to search him for possession of stolen property. We disagree.

NRS 176A.400 authorizes the district court to fashion terms and conditions of probation. The statute specifically allows the imposition of terms and conditions deemed necessary:

1. In issuing an order granting probation, the court may fix the terms and conditions thereof, including, without limitation:

(c) Any reasonable conditions to protect the health, safety or welfare of the community or to ensure that the probationer will appear at all times and places ordered by the court.

00-07740

We conclude "a district court enjoys wide discretion to impose such conditions." Miller v. State, 113 Nev. 722, 725, 921 P.2d 456, 458 (1997). Considering the facts of this case, a condition allowing the State to search appellant for possession of stolen property is reasonable. Therefore, we conclude the district court did not abuse its discretion in imposing the complained of probation condition.

Having concluded appellant's contention is without merit, we

ORDER this appeal dismissed.

Young, J.
Young
Agosti, J.
Agosti
Leavitt, J.
Leavitt

cc: Hon. Ronald D. Parraguirre, District Judge
Attorney General
Clark County District Attorney
Clark County Public Defender
Clark County Clerk