

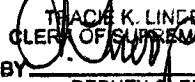
IN THE SUPREME COURT OF THE STATE OF NEVADA

PAUL STEVEN COTTON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 54383

**FILED**

JAN 07 2010

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER OF AFFIRMANCE

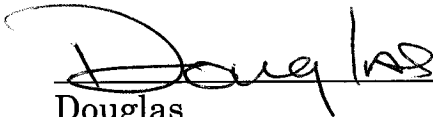
This is an appeal from a judgment of conviction entered pursuant to a guilty plea of one count of statutory sexual seduction and one count of open or gross lewdness. Eighth Judicial District Court, Clark County; Elizabeth Goff Gonzalez, Judge. The district court sentenced appellant Paul Steven Cotton to serve a 12- to 30-month prison term for the seduction count and a concurrent 12-month jail term for the lewdness count.

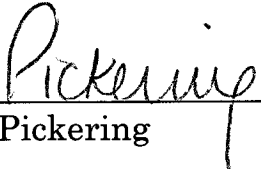
Cotton contends that the district court abused its discretion at sentencing by relying on an erroneous psychosexual evaluation and presentence investigation report and by imposing a sentence that is cruel and unusual given his lack of "serious" criminal history, moderate risk to reoffend, and the consensual nature of his offenses. The record does not demonstrate that the district court relied on the erroneous psychosexual evaluation and presentence investigation report when imposing sentence. See generally Silks v. State, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976). Cotton has not alleged that the relevant statutes are unconstitutional, and we conclude that the sentence is not unreasonably disproportionate to his crimes. See Blume v. State, 112 Nev. 472, 475, 915 P.2d 282, 284 (1996).

In particular, Cotton engaged in sex acts with a 13-year-old girl. And, Cotton has not shown that the sentence falls outside the parameters of the relevant statutes. See NRS 193.130(2)(c); NRS 193.140; NRS 200.368(1); NRS 201.210(1)(a). Accordingly, we conclude that the sentence does not constitute cruel and unusual punishment and the district court did not abuse its discretion at sentencing, see Houk v. State, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987), and we

ORDER the judgment of conviction AFFIRMED.

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Pickering

cc: Hon. Elizabeth Goff Gonzalez, District Judge  
Clark County Public Defender  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk