

IN THE SUPREME COURT OF THE STATE OF NEVADA

JERRY LYNN LEINWEBER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54425

FILED

MAY 07 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Angerson*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment revoking probation. First Judicial District Court, Carson City; James Todd Russell, Judge.

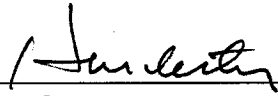
Appellant argues on appeal that the judgment of revocation does not comport with due process because (1) the district court erred by concluding that he admitted to the violations alleged, (2) the district court failed to identify the violations upon which it relied to revoke his probation or the weight given to each violation found, and (3) revocation of his probation served as punishment for his inability to secure employment or meet his financial obligations. We disagree.


Appellant waived a hearing and admitted to the probation violations alleged, albeit he asserted that several of the violations were mitigated by his inability to secure employment and concomitant financial problems and ignorance of an obligation to report on a certain date. And although appellant contends that the judgment of revocation is inadequate for our review, we conclude otherwise. We also reject appellant's contention that probation revocation served as punishment for his employment and financial difficulties. The record before us sufficiently supports the district court's finding that appellant admitted the violations


alleged and that revocation was appropriate based on any or all of the violations found. See Lewis v. State, 90 Nev. 436, 438, 529 P.2d 796, 797 (1974) (providing that evidence supporting decision to revoke probation must be sufficient to reasonably satisfy district court that probationer's conduct was not as good as required by conditions of probation).

Because appellant's revocation did not violate due process concerns and the district court did not otherwise abuse its discretion in revoking appellant's probation, id. (providing that probation revocation falls within district court's broad discretion and will not be disturbed on appeal absent clear showing of abuse), we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Hardesty


_____, J.
Douglas


_____, J.
Pickering

cc: Hon. James Todd Russell, District Judge
State Public Defender/Carson City
Attorney General/Carson City
Carson City District Attorney
Carson City Clerk