

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRAD DAMON YOUNGS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 54560

**FILED**

FEB 03 2010

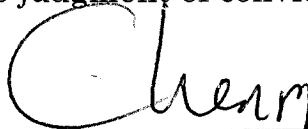
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER OF AFFIRMANCE

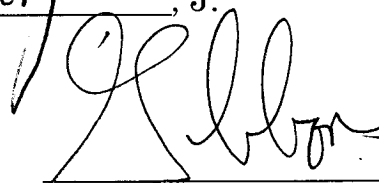
This is an appeal from a judgment of conviction entered pursuant to a guilty plea of two counts of possession of a stolen vehicle and one count of conspiracy to possess a stolen vehicle. Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

Appellant Brad Damon Youngs' sole contention on appeal is that the district court did not apply its discretion when adjudicating him a habitual criminal. Our review of "the record as a whole indicates that the sentencing court was not operating under a misconception of the law regarding the discretionary nature of a habitual criminal adjudication and that the court exercised its discretion." Hughes v. State, 116 Nev. 327, 333, 996 P.2d 890, 893-94 (2000). Accordingly, we conclude that the district court applied its discretion at sentencing and we

ORDER the judgment of conviction AFFIRMED.

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Valerie Adair, District Judge  
Keith C. Brower  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk