

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL JOSEPH GEIGER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54694

FILED

JUN 09 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *H. Ingrova*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction entered pursuant to a guilty plea of one count of possession of a stolen vehicle. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.

Geiger contends that the district court abused its discretion at sentencing and he should have been placed into a rehabilitative program instead of being sentenced to prison. Geiger claims that, despite his long criminal history, none of his crimes involved violence, his "two most recent convictions were for mere possession of a stolen vehicle," and there is no evidence that he took part in the theft of these vehicles. Geiger has not shown that the district court relied on impalpable or highly suspect evidence, see Silks v. State, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976), that the relevant statutes are unconstitutional, see Blume v. State, 112 Nev. 472, 475, 915 P.2d 282, 284 (1996), or that the 22- to 60-month sentence falls outside the parameters of the relevant statutes, see NRS 205.273(3); NRS 193.130(2)(c). Accordingly, we conclude that 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.

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

cc: Hon. Connie J. Steinheimer, District Judge
Eric W. Lerude
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk