

IN THE SUPREME COURT OF THE STATE OF NEVADA

ADRIANNA A. MILLER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55383

FILED

JUN 09 2010

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

ORDER OF AFFIRMANCE

This is an appeal from an order of the district court revoking appellant Adrianna Miller's probation and amending her judgment of conviction. Eighth Judicial District Court, Clark County; Michael Villani, Judge.

Miller contends that the district court abused its discretion by revoking her probation because there was "no real bad behavior" and her youth, pregnancy, maternal responsibilities, and poverty were factors in her noncompliance with the conditions of probation. Miller further claims that the district court did not consider alternatives to incarceration and relied too heavily on her underlying crime. The decision to revoke probation is within the broad discretion of the district court and will not be disturbed absent a clear showing of abuse. Lewis v. State, 90 Nev. 436, 438, 529 P.2d 796, 797 (1974). Evidence supporting a decision to revoke probation must merely be sufficient to reasonably satisfy the district court that the conduct of the probationer was not as good as required by the conditions of probation. Id. The record on appeal reveals that Miller failed to maintain a stable residence, submitted only one monthly job search verification form and failed to find employment, enrolled in GED

class but failed to show up, and failed to perform any community service, despite the fact that community service work was available for pregnant women. Although defense counsel argued for reinstatement of probation under a program of intense supervision, the district court found that in eight months Miller had not begun or completed a single condition of her probation, noted that she had been convicted of a very serious offense, and revoked her probation. We conclude that Miller has not demonstrated that the district court abused its discretion by revoking her probation, and we

ORDER the judgment of the district court AFFIRMED.

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

cc: Hon. Michael Villani, District Judge
Bailus Cook & Kelesis
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk