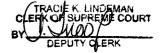
IN THE SUPREME COURT OF THE STATE OF NEVADA

ARTHUR EDWARD JAMES, JR., Appellant, vs. THE STATE OF NEVADA, Respondent. No. 55954

FILED

SEP 0 9 2010



ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of attempted sexual assault on a child. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.

Appellant Arthur Edward James, Jr., contends that the district court abused its discretion at sentencing by failing to give sufficient weight to the risk and psychosexual evaluations which found him to be a low risk to reoffend. This court will not disturb a district court's sentencing determination absent an abuse of discretion. Randell v. State, 109 Nev. 5, 8, 846 P.2d 278, 280 (1993). James has not demonstrated that the district court relied on impalpable or highly suspect the relevant sentencing statutes evidence alleged that unconstitutional. See Denson v. State, 112 Nev. 489, 492-93, 915 P.2d 284, 286-87 (1996); see also Allred v. State, 120 Nev. 410, 420, 92 P.3d 1246, 1253 (2004). Further, James' sentence falls within the parameters provided by the relevant statutes. See NRS 200.366(3); NRS

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193.330(1)(a)(1). Therefore, we conclude that the district court did not abuse its discretion at sentencing, and we

ORDER the judgment of conviction AFFIRMED.

Hardesty, J

Dong 8, J.

Clear Pickering

cc: Hon. Connie J. Steinheimer, District Judge

Washoe County Public Defender Attorney General/Carson City

Washoe County District Attorney

Washoe District Court Clerk