

IN THE SUPREME COURT OF THE STATE OF NEVADA

BETH ANN BAKER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 56412

FILED

FEB 09 2011

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

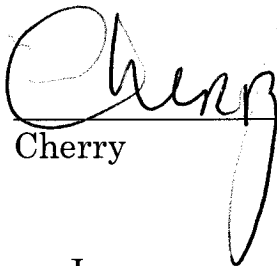
ORDER OF AFFIRMANCE


This is an appeal from an order of the district court revoking appellant Beth Ann Baker's probation. Fifth Judicial District Court, Nye County; Robert W. Lane, Judge.


Baker contends that the district court abused its discretion by revoking her probation because she presented favorable evidence that she was doing her best to comply with the conditions of probation. 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). Baker admitted that while she was on probation she was charged with assault with a deadly weapon, convicted of a misdemeanor, and failed to complete all of her counseling. Based on these admissions, we conclude that the district court could reasonably find that Baker's conduct was not as good as required by the conditions of probation, see id., and therefore she has not

demonstrated that the district court abused its discretion by revoking her probation. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Cherry


_____, J.
Gibbons


_____, J.
Pickering

cc: Hon. Robert W. Lane, District Judge
Donald J. Green
Robert P Bettinger
Attorney General/Carson City
Nye County District Attorney
Nye County Clerk