

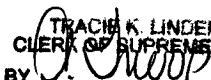
IN THE SUPREME COURT OF THE STATE OF NEVADA

RICKY ALLEN GONZALES A/K/A
RICKY GONZALES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 56475

FILED

DEC 10 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order revoking appellant Ricky Allen Gonzales' probation. Eighth Judicial District Court, Clark County; Valorie Vega, Judge.

Gonzales contends that his right to due process was violated when the district court relied solely on hearsay—specifically, the violation report—in revoking his probation. We disagree. First, hearsay is not prohibited in probation revocation hearings. See Anaya v. State, 96 Nev. 119, 123-24, 606 P.2d 156, 158-59 (1980). Second, the district court found that Gonzales violated the terms of his probation by failing to report and enter into the required counseling program. Significantly, Gonzales did not challenge the district court's findings or the allegations in the violation report supporting these findings. See id. Therefore, we conclude that Gonzales' right to due process was not violated and the district court did

not abuse its discretion by revoking his probation. See Lewis v. State, 90 Nev. 436, 438, 529 P.2d 796, 797 (1974). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

cc: Hon. Valorie Vega, District Judge
Law Office of Jeannie N. Hua, Inc.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk