

IN THE SUPREME COURT OF THE STATE OF NEVADA

GREGORY LEE MACRENARIS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 56676

FILED

NOV 18 2011

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

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction entered pursuant to a jury verdict of felony driving under the influence of alcohol. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.

Appellant Gregory Lee Macrenaris contends that the district court abused its discretion by sentencing him to serve 24 to 84 months in prison instead of 24 to 60 months. Macrenaris has not shown that the district court relied on palpable or highly suspect evidence, see Silks v. State, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976), the relevant statutes are unconstitutional, see Blume v. State, 112 Nev. 472, 475, 915 P.2d 282, 284 (1996), or his sentence falls outside the parameters of the relevant statute, see NRS 484C.410(1). 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.

Douglas, J.
Douglas

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

cc: Hon. Connie J. Steinheimer, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk