

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARTIN KEVIN FLORES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 57512

FILED

JUN 08 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
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DEPUTY CLERK

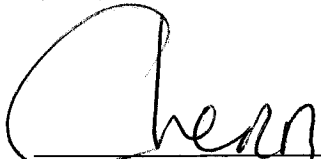
ORDER OF AFFIRMANCE

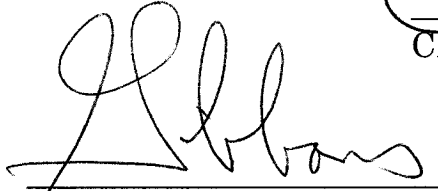
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of burglary and grand larceny. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.

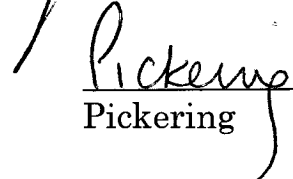
Appellant Martin Kevin Flores contends that the district court abused its discretion at sentencing because he has enrolled in classes to better himself; he only committed the crimes to support his family; the crimes were not violent; he has successfully completed probation in the past; and, by sentencing him to the maximum possible sentences, the district court usurped the role of the parole board, which is in the best position to determine when he is rehabilitated. We disagree. Flores's concurrent sentences of 24 to 120 months and 24 to 60 months are within the statutory limits, see NRS 193.130(2)(c); NRS 205.060(2); NRS 205.222(2), and Flores does not allege that the district court relied on "impalpable or highly suspect evidence," Silks v. State, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976). 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.


_____, J.
Cherry


_____, J.
Gibbons


_____, J.
Pickering

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