

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN L. ORTEGA,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 58819

FILED

DEC 07 2011

TRAGIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY Angela  
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order revoking appellant John L. Ortega's probation. Sixth Judicial District Court, Humboldt County; Michael Montero, Judge.

Ortega contends that the district court abused its discretion by relying on the Division of Parole and Probation's recommendation of revocation. We disagree.

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). At Ortega's probation violation hearing, he admitted to violating six conditions of his probation. Accordingly, we conclude that the district court did not abuse its discretion by revoking Ortega's probation and ordering that his sentence be executed, see NRS 176A.630(4), and we

ORDER the judgment of the district court AFFIRMED.

Cherry, J.  
Cherry

Gibbons, J.  
Gibbons

Pickering, J.  
Pickering

cc: Hon. Michael Montero, District Judge  
Humboldt County Public Defender  
Attorney General/Carson City  
Humboldt County District Attorney  
Humboldt County Clerk