

IN THE SUPREME COURT OF THE STATE OF NEVADA

MAURICIO PASCUAL FEINNE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 59742

**FILED**

DEC 13 2012

TRACEE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *Angela*  
DEPUTY CLERK

ORDER OF AFFIRMANCE

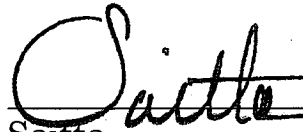
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of possessing personal identifying information to establish false status or identity. Eighth Judicial District Court, Clark County; Douglas W. Herndon, Judge.

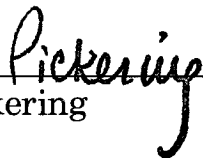
Appellant Mauricio Pascual Feinne contends that the district court abused its discretion by ordering his sentence to run consecutively to the sentences imposed in three other cases. Feinne specifically claims the district court mistakenly believed that it could not impose a concurrent sentence. Feinne also contends that the district court improperly relied on impalpable and highly suspect evidence at sentencing, namely, the State's assertion that "he had a full-on . . . meth lab" in his apartment when it was searched. Feinne concedes that he did not object to the prosecutor's statement. See generally NRS 178.602 ("Plain errors or defects affecting substantial rights may be noticed although they were not brought to the attention of the court.").

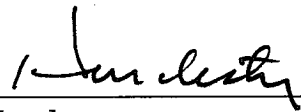
This court will not disturb a district court's sentencing determination absent an abuse of discretion. Parrish v. State, 116 Nev. 982, 989, 12 P.3d 953, 957 (2000). Feinne failed to demonstrate that the district court relied solely on impalpable or highly suspect evidence. See

Chavez v. State, 125 Nev. 328, 347-48, 213 P.3d 476, 489-90 (2009). Feinne's prison term of 18-48 months falls within the parameters provided by the relevant statutes, NRS 193.130(2)(c); NRS 205.465(2)(b), and it is within the district court's discretion to impose consecutive sentences, see NRS 176.035(1). Further, Feinne failed to demonstrate that the district court misapprehended NRS 176.035(2) and believed that it was required to impose a consecutive prison term. Accordingly, we conclude that the district court did not abuse its discretion at sentencing, and we

ORDER the judgment of conviction AFFIRMED.

  
Saitta \_\_\_\_\_, J.

  
Pickering \_\_\_\_\_, J.

  
Hardesty \_\_\_\_\_, J.

cc: Hon. Douglas W. Herndon, District Judge  
Jean J. Schwartzer  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk