

IN THE SUPREME COURT OF THE STATE OF NEVADA

JENNIFER R. MAYFIELD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 59902

FILED

SEP 13 2012

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

ORDER OF AFFIRMANCE

This is an appeal from a district court order revoking probation. Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.


Appellant argues that the district court abused its discretion by revoking her probation because the district court did not consider several matters, including the effects post-traumatic stress disorder (PTSD) had on her during her probation period, she avoided any legal problems or entanglements, she had a stable residence, and she likely would have been exempt from showing proof of employment because of a disability. However, with exception of the proof-of-employment item, the district court was made aware of those matters through statements by appellant and counsel during the revocation hearing. To the extent appellant argues that the district court's failure to consider a possible exemption from an employment requirement due to a disability, she fails to identify her disability, although it appears that she may be referring to her PTSD, of which the district court was aware. She did not raise the matter of an exemption to the district court during the hearing. Further, appellant informed the district court that she has been tutoring two college students and a junior high school student and babysitting five

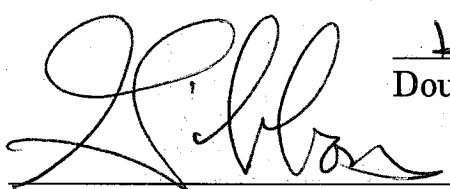
children. Considering the record before us, we conclude that appellant's arguments lack merit and that the district court did not abuse its discretion by revoking appellant's probation. See Lewis v. State, 90 Nev. 436, 438, 529 P.2d 796, 797 (1974) (observing that decision to revoke probation falls within district court's broad discretion and that decision will not be disturbed absent clear showing of abuse).

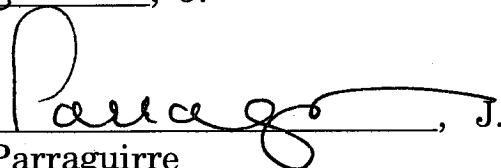
Appellant next asserts a perfunctory argument that the district court's decision to revoke her probation and impose the original sentence of 48 to 120 months in prison instead of reinstating probation or reducing the original sentence constitutes cruel and usual punishment. Appellant has not explained how revoking probation is cruel and unusual punishment, and, to the extent she argues that her original sentence is cruel and usual, her challenge is inappropriately raised in this appeal.

Having considered appellant's arguments and concluded that they lack merit, we

ORDER the judgment of the district court AFFIRMED.¹


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

¹Appellant has submitted a proper person letter and motion to declare an unconstitutional sentence. Appellant has not requested or been granted leave to file documents in proper person. NRAP 46(b). Nevertheless, we direct the clerk of this court to file the documents received on September 11, 2012. Having reviewed the documents, we conclude that no relief is warranted.

cc: Hon. Kathleen E. Delaney, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk