

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSE ALFREDO GARCIA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 59935

FILED

NOV 15 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY H. Ingosou
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of possession of a controlled substance. Eighth Judicial District Court, Clark County; Valorie J. Vega, Judge.

Appellant Jose Alfredo Garcia raises several issues related to the district court's denial of his oral motion to strike the portion of his presentence investigation report designating him as a gang affiliate. Garcia fails to offer any legal authority or persuasive argument in support of his claims. See generally Maresca v. State, 103 Nev. 669, 673, 748 P.2d 3, 6 (1987) ("It is appellant's responsibility to present relevant authority and cogent argument; issues not so presented need not be addressed by this court."). Moreover, "[t]he decision to admit evidence at a penalty hearing is left to the discretion of the trial judge," Nunnery v. State, 127 Nev. ___, ___ & n.7, 263 P.3d 235, 249 & n.7 (2011), cert. denied, ___ U.S. ___, 132 S. Ct. 2774 (2012), and we conclude that Garcia failed to demonstrate that the district court abused its discretion in this regard. Accordingly, we

ORDER the judgment of conviction AFFIRMED.

Douglas, J.
Douglas

Gibbons, J.
Gibbons

Parraguirre, J.
Parraguirre

cc: Hon. Valorie J. Vega, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk