

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALLEN JOSEPH STOUT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60103

FILED

SEP 12 2012

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

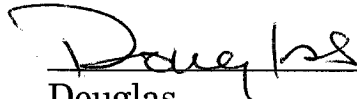
ORDER OF AFFIRMANCE


This is an appeal from a judgment of conviction entered pursuant to a guilty plea of second-degree kidnapping and resisting a public officer. Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

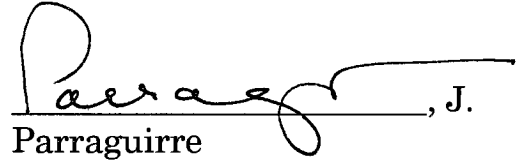
Appellant Allen Joseph Stout's sole contention is that his consecutive sentences, amounting to 66 to 204 months in prison, constitute cruel and unusual punishment because he took responsibility for his actions, had one prior misdemeanor conviction, and has large support from family and members of the community. However, because Stout does not argue that the relevant statutes are unconstitutional, his sentences are within the parameters of the relevant statutes, see NRS 176.035(1); NRS 193.130(2)(c); NRS 199.280(1); NRS 200.330, and we are not convinced that the sentences are unreasonably disproportionate to the gravity of his offenses, we conclude that the sentences do not violate the constitutional proscriptions against cruel and unusual punishment, see Harmelin v.

Michigan, 501 U.S. 957, 1000-01 (1991) (plurality opinion); Chavez v. State, 125 Nev. 328, 347-48, 213 P.3d 476, 489-90 (2009), and we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

cc: Chief Judge, Eighth Judicial District Court
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk