

IN THE SUPREME COURT OF THE STATE OF NEVADA

CAROLYN SUE CAUSEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60228

FILED

OCT 08 2012

ARACIE K. LINDEMAN
CLERK OF SUPREME COURT
by *Araciel*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of embezzlement. Second Judicial District Court, Washoe County; Brent T. Adams, Judge.

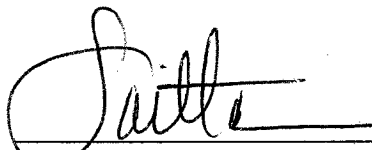
Appellant Carolyn Sue Causey contends that the district court abused its discretion by sentencing her to a term of imprisonment instead of suspending her sentence and placing her on probation because she did not have a criminal record, had a support system in the community, suffered from health problems, and sought treatment for her addiction. We disagree.


Causey's sentence of 48 to 120 months in prison is within the statutory limits, see NRS 205.0833(1), 205.0835(4), 205.300(1), and the record does not indicate that the district court relied solely on "impalpable and highly suspect evidence," Denson v. State, 112 Nev. 489, 492, 915 P.2d 284, 286 (1996). It is within the district court's discretion whether to grant a defendant probation, NRS 176A.100(1)(c), and we conclude that the district court did not abuse its discretion by declining to do so here, see

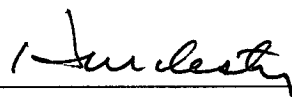
Houk v. State, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987).

Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Saitta


_____, J.
Pickering


_____, J.
Hardesty

cc: Hon. Brent T. Adams, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk