

IN THE SUPREME COURT OF THE STATE OF NEVADA

IVORY KEITH SANDERS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60929

FILED

JAN 16 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY R. Malone
DEPUTY CLERK

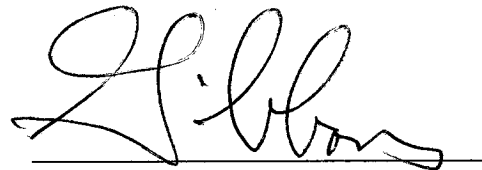
ORDER OF AFFIRMANCE

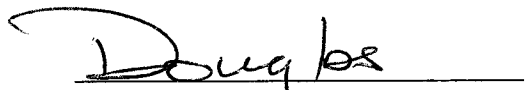
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of attempted child abuse causing substantial bodily harm. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.

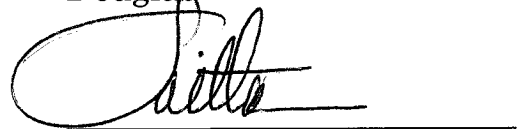
Appellant Ivory Keith Sanders contends that the district court abused its discretion by imposing a term of incarceration rather than a suspended sentence with probation. We disagree. This court will not disturb a district court's sentencing determination absent an abuse of discretion. See Parrish v. State, 116 Nev. 982, 989, 12 P.3d 953, 957 (2000). Sanders' prison term of 24-80 months falls within the parameters provided by the relevant statutes. See NRS 193.330(1)(a)(2) (attempt to commit category B felony punishable by "a minimum term of not less than 1 year and a maximum term of not more than 10 years"); NRS 200.508(1)(a)(2). Moreover, the granting of probation is discretionary. See

NRS 176A.100(1)(c). We conclude that the district court did not abuse its discretion at sentencing, and we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Hon. Connie J. Steinheimer, District Judge
Washoe County Alternate Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk