

IN THE SUPREME COURT OF THE STATE OF NEVADA

THOMAS MATTHEW MCNAMARA,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 35621

FILED

JUN 13 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Bloom*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of possession of stolen property. The district court sentenced appellant to 24-60 months in prison. The district court further ordered appellant to pay restitution in the amount of \$3,065.00.

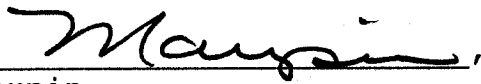
Appellant's sole contention is that the district court abused its discretion at sentencing because the sentence is too harsh. We conclude that appellant's contention is without merit.

This court has consistently afforded the district court wide discretion in its sentencing decision. See Houk v. State, 103 Nev. 659, 747 P.2d 1376 (1987). This court will refrain from interfering with the sentence imposed "[s]o long as the record does not demonstrate prejudice resulting from consideration of information or accusations founded on facts supported only by impalpable or highly suspect evidence." Silks v. State, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976).

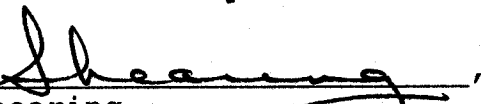
In the instant case, appellant does not allege that the district court relied on impalpable or highly suspect evidence or that the relevant statute is unconstitutional. Further, we note that the sentence imposed was within the parameters provided by the relevant statute. See NRS 205.275.

Having considered appellant's contention and concluded that it is without merit, we


ORDER this appeal dismissed.



Maupin J.



Shearing J.



Becker J.

cc: Hon. Jerome M. Polaha, District Judge
Attorney General
Washoe County District Attorney
Washoe County Public Defender
Mary Kandaras Petty
Washoe County Clerk