

IN THE SUPREME COURT OF THE STATE OF NEVADA

LELAND ROBERT SCHMID, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 61405

FILED

MAR 13 2013

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


ORDER OF AFFIRMANCE

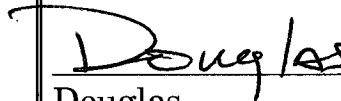
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of attempted burglary. Sixth Judicial District Court, Humboldt County; Michael Montero, Judge.


Appellant argues that the district court abused its discretion by sentencing him for a prior felony and imposing a prison term of 18 to 45 months rather than the minimum term for the offense. The district court observed during sentencing that appellant was 25 years old and “already had one felony on [his] record” and had “[a] significant history here as a young man.” A defendant’s criminal record and character are appropriate considerations for the district court in fashioning an appropriate sentence. Denson v. State, 112 Nev. 489, 492, 915 P.2d 284, 286 (1996) (“Possession of the fullest information possible concerning a defendant’s life and characteristics is essential to the sentencing judge’s task of determining the type and extent of punishment.”). We conclude that the district court’s comments do not suggest that it punished appellant for a prior offense or too harshly but were merely a recognition of appellant’s criminal history.

Because we discern no abuse of the district court's broad discretion in this instance, Houk v. State, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987), we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Hon. Michael Montero, District Judge
Humboldt County Public Defender
Attorney General/Carson City
Humboldt County District Attorney
Humboldt County Clerk