

IN THE SUPREME COURT OF THE STATE OF NEVADA

CIRIA ELIZABETH GONZALEZ,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 61472

FILED

MAR 14 2013

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *A. Angersol*  
DEPUTY CLERK

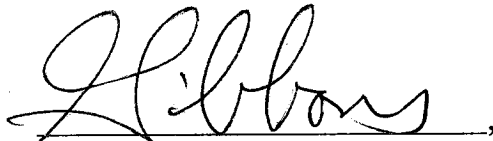
ORDER OF AFFIRMANCE

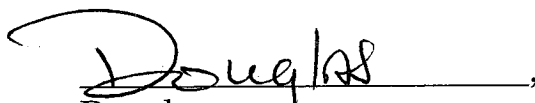
This is an appeal from a judgment of conviction, pursuant to a no contest plea, of possession of a controlled substance not for the purpose of sale. Seventh Judicial District Court, White Pine County; Dan L. Papez, Judge.


Appellant Ciria Elizabeth Gonzalez contends that she is entitled to a new sentencing hearing because the supplemental presentence investigation report (PSI) prepared by the Division of Parole and Probation stated, "If granted Probation, [Gonzalez] would have to be transferred to the jurisdiction of the State of Arizona since she has no ties to the community or the State of Nevada." Gonzalez claims "it is impossible to tell" how this statement in the PSI influenced either the Division's recommendation for a prison term or the district court's sentencing determination. Gonzalez did not object below to the statement in the PSI and on appeal fails to demonstrate plain error affecting her substantial rights. See NRS 178.602; Mendoza-Lobos v. State, 125 Nev. 634, 644, 218 P.3d 501, 507 (2009); Valdez v. State, 124 Nev. 1172, 1190,

196 P.3d 465, 477 (2008).<sup>1</sup> Therefore, we conclude that Gonzalez is not entitled to relief, and we

ORDER the judgment of conviction AFFIRMED.

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Saitta

cc: Seventh Judicial District Court Dept. 2  
State Public Defender/Ely  
State Public Defender/Carson City  
Attorney General/Carson City  
White Pine County District Attorney  
White Pine County Clerk

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<sup>1</sup>The district court imposed a prison term of 12-34 months after stating it was “not inclined to grant probation” due to Gonzalez’s criminal history and inability to successfully complete prior probationary terms and/or diversion programs.