

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMAR L. STEELE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 61476

**FILED**

**MAY 15 2013**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY Anderson  
DEPUTY CLERK

ORDER OF AFFIRMANCE


This is an appeal from a judgment of conviction, pursuant to a jury verdict, of conspiracy to commit robbery, and pursuant to a guilty plea, of robbery and attempted sexual assault. Eighth Judicial District Court, Clark County; David B. Barker, Judge.

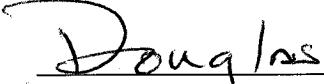
Appellant argues that his sentence constitutes cruel and unusual punishment in violation of the United States and Nevada Constitutions considering his young age, lack of culpability, and diminished reasoning. The district court sentenced appellant to the Nevada Department of Corrections for a term of 24 to 60 months on the conspiracy count and 72 to 180 months for the remaining two counts, all sentences to run concurrently.

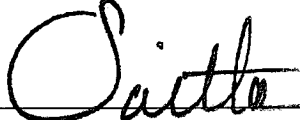
A sentence that falls within the statutory limits is not considered cruel or unusual punishment "unless the statute fixing punishment is unconstitutional or the sentence is so unreasonably disproportionate to the offense as to shock the conscience." *Blume v. State*, 112 Nev. 472, 475, 915 P.2d 282, 284 (1996) (internal quotation marks omitted); *Harmelin v. Michigan*, 501 U.S. 957 1000-01 (1991) (plurality opinion). Appellant does not challenge the constitutionality of the

statutes, and the imposed sentence is within the statutory limits and is not unreasonably disproportionate to his crimes. NRS 193.330(1)(a)(1); NRS 199.480(1)(a); NRS 200.366(2); NRS 200.380(1). Therefore we conclude that his sentence does not constitute cruel and unusual punishment. Accordingly, we

ORDER the judgment of the conviction AFFIRMED.

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

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

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

cc: Hon. David B. Barker, District Judge  
Law Offices of John P. Parris  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk