

IN THE SUPREME COURT OF THE STATE OF NEVADA

KYLE DANA MISSOURI,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 62213

FILED

APR 09 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 invasion of the home. Sixth Judicial District Court, Humboldt County; Michael Montero, Judge.

Appellant Kyle Dana Missouri claims that the district court abused its discretion at sentencing by imposing a prison term rather than placing him on probation. The district court imposed a prison term of 12 to 36 months after hearing that Missouri, a young man, had already served 10 prior jail terms for other offenses. We conclude that the district court did not abuse its discretion, see NRS 176A.100(1)(c); NRS 193.130(2)(c); NRS 193.330(1)(a)(3); NRS 205.067(2); Houk v. State, 103

Nev. 659, 664, 747 P.2d 1376, 1379 (1987), and we

ORDER the judgment of conviction AFFIRMED.¹

Hardesty, J.
Hardesty

Parraguirre J.
Parraguirre

Cherry, J.
Cherry

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

¹Missouri's fast track statement does not comply with NRAP 3C(h)(1) and NRAP 32(a)(4) because it does not have margins of at least one inch on all four sides. We caution appellant's counsel, Matt Stermitz, that future failure to comply with the applicable rules when filing briefs in this court may result in the imposition of sanctions. See NRAP 3C(n).