

IN THE SUPREME COURT OF THE STATE OF NEVADA

LONNIE LEWIS SAVAGE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 62214

**FILED**

APR 09 2013

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *H. Malone*  
DEPUTY CLERK

ORDER OF AFFIRMANCE

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

Appellant Lonnie Lewis Savage claims that the district court abused its discretion by imposing a prison term rather than placing him on probation. The district court judge imposed a 19- to 48-month prison term after noting that Savage had at least six prior driving under the influence convictions in his adult criminal history and stating that he could not overlook the fact that the instant offense also involved alcohol and driving a vehicle. We conclude that the district court did not abuse its discretion by imposing a prison term rather than placing Savage on probation, see NRS 176A.100(1)(c); NRS 193.130(2)(c); NRS 193.330(1)(a)(3); NRS 200.481(2)(e); Houk v. State, 103 Nev. 659, 664, 747

P.2d 1376, 1379 (1987), and we

ORDER the judgment of conviction AFFIRMED.<sup>1</sup>

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

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<sup>1</sup>Savage'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).