

IN THE SUPREME COURT OF THE STATE OF NEVADA

PHILLIP WILLARD DICKSON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 63413

**FILED**

JAN 15 2014

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY R. Malone  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

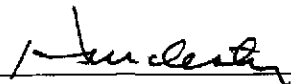
This is an appeal from a judgment of conviction, pursuant to an *Alford* plea, of establishing or possessing a financial forgery laboratory. Eighth Judicial District Court, Clark County; Jerome T. Tao, Judge.

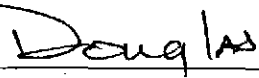
Appellant Phillip Willard Dickson contends that the disparity between his sentence and his coconspirator's "deprive[d] [him] of his right to due process and a fair trial." Dickson claims that he is entitled to "a sentence similar to that received by his co-defendant," specifically, a release from custody and probationary term not to exceed three years. We disagree.

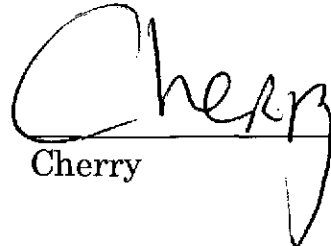
This court will not disturb a district court's sentencing determination absent an abuse of discretion. *Parrish v. State*, 116 Nev. 982, 989, 12 P.3d 953, 957 (2000). Dickson's prison term of 48-168 months falls within the parameters of the relevant statute. See NRS 205.46513(2) (category B felony punishable by a prison term of 1-20 years and a fine not to exceed \$100,000). Moreover, the granting of probation is discretionary. See NRS 176A.100(1)(c). Prior to sentencing Dickson, the district court noted that his criminal history included seven prior felonies, one revoked probationary term, and several probation violations. After imposing a term of incarceration, the district court explained, "You know...when I

look at a record like yours, I'm just pretty sure that putting you on probation is going to be a huge waste of time." We conclude that the district court did not abuse its discretion at sentencing, *Nobles v. Warden*, 106 Nev. 67, 68, 787 P.2d 390, 391 (1990) ("[N]o rule of law requires a court to sentence codefendants to identical terms."), and we

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

  
\_\_\_\_\_, J.  
Hardesty

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

  
\_\_\_\_\_, J.  
Cherry

cc: Hon. Jerome T. Tao, District Judge  
Herbert Sachs  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>1</sup>Although we filed the fast track statement, response, and reply submitted by the parties, they fail to comply with the provisions of NRAP 3C(h)(2). The fast track statement and reply do not have margins of at least 1-inch on all sides as required by NRAP 32(a)(4). The "Verification" included in the fast track response does not comply with NRAP 32(a)(8)(B) because the brief exceeds 10 pages and the certification does not specify the number of words in the brief. Counsel for the parties are cautioned that the future failure to comply with the rules of this court may result in the imposition of sanctions. *See* NRAP 3C(n).