

IN THE SUPREME COURT OF THE STATE OF NEVADA

JERAMIE RAYMOND CARLSSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 63506

FILED

DEC 16 2013

FRADIE K. LINDEMAN
CLERK OF SUPREME COURT
BY: *Frannie*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction entered pursuant to a guilty plea of robbery with the use of a firearm, resisting and/or obstructing and/or delaying a public officer with a deadly weapon, and eluding a police officer. Second Judicial District Court, Washoe County; Elliott A. Sattler, Judge.

Appellant Jeramie Raymond Carlsson contends that the district court erred by denying his pretrial petition for a writ of habeas corpus because there was insufficient evidence to support the grand jury's determination that he used a firearm to commit the robbery. Although the transcript of the district court's plea canvass clearly reflects that Carlsson entered a conditional guilty plea with the consent of the district court and district attorney,¹ Carlsson did not reserve his right to appeal from the judgment of conviction *in writing* as is required by NRS 174.035(3). Even if this issue had been properly preserved, Carlsson would not be entitled to relief. The transcript of the grand jury proceeding demonstrates that there was sufficient evidence to support the grand jury's probable cause

¹The Honorable Steven P. Elliott, Senior Judge, presided over the plea canvass.

determination. See NRS 172.155(1); *Sheriff v. Hodes*, 96 Nev. 184, 186, 606 P.2d 178, 180 (1980) (“The finding of probable cause may be based on slight, even ‘marginal’ evidence because it does not involve a determination of the guilt or innocence of an accused.” (internal citations omitted)). Accordingly, we

ORDER the judgment of conviction AFFIRMED.²

Pickering, C.J.
Pickering

Hardesty, J.
Hardesty

Cherry, J.
Cherry

cc: Hon. Elliott A. Sattler, District Judge
David Kalo Neidert
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

²The fast track statement does not comply with the formatting requirements of NRAP 3C(h)(1) and NRAP 32(a)(4), (5) because the text is not double-spaced and the typeface of the footnotes is smaller than the typeface used in the body of the brief. We caution counsel for the appellant that future failure to comply with the applicable rules when filing briefs in this court may result in the imposition of sanctions. See NRAP 3(C)(n).