

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL CELIS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 35893

FILED

OCT 02 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a guilty plea in accordance with North Carolina v. Alford, 400 U.S. 25 (1970), of one count of battery with the use of a deadly weapon with substantial bodily harm (count I), and one count of voluntary manslaughter (count II). The district court sentenced appellant to serve in the Nevada State Prison 36-90 months and pay \$16,905 in restitution for count I and a consecutive term of 48-120 months for count II. Appellant's sentence was ordered to run concurrently with a sentence in another state; and, he was given credit for 497 days time served.

First, appellant contends his due process rights were violated by the Division of Parole and Probation (P & P) in their preparation of the presentence investigation report (PSI). More specifically, appellant contends the officer preparing the PSI was biased and prejudiced towards appellant and his counsel. Appellant argues that P & P has a duty to advise the court in an unbiased manner regarding the appropriate sentence for a defendant, and requests this court to order the preparation of

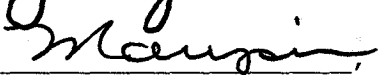
within the parameters provided by the relevant statutes. See
NRS 200.481(2)(e)(2); NRS 200.080.

Having considered appellant's contentions and
concluded that they lack merit, we affirm the judgment of
conviction.

It is so ORDERED.



Young J.



Maupin J.



Becker J.

cc: Hon. Lee A. Gates, District Judge
Attorney General
Clark County District Attorney
Special Public Defender
Clark County Clerk