

IN THE SUPREME COURT OF THE STATE OF NEVADA

JESS MARLOW,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 65051

**FILED**

JUL 22 2014

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

*ORDER OF AFFIRMANCE*

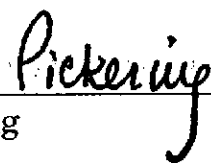
This is an appeal from a district court order revoking probation. Second Judicial District Court, Washoe County; Patrick Flanagan, Judge.

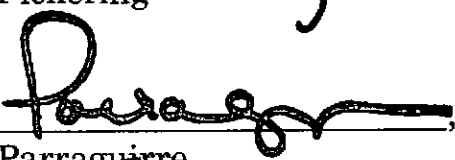
Appellant Jess Marlow contends that the district court abused its discretion by revoking his probation. Marlow claims that his drug relapse was not unusual, given that he is an addict, and that the district court should have afforded the Second Judicial Specialty Court's Adult Drug Court Program (Drug Court) "the discretion to handle Mr. Marlow as it sees fit."


The decision to revoke probation is within the district court's broad discretion and will not be disturbed absent a clear showing of abuse. *Lewis v. State*, 90 Nev. 436, 438, 529 P.2d 796, 797 (1974). Evidence supporting a decision to revoke probation must be merely sufficient to reasonably satisfy the district court that the conduct of the probationer was not as good as required by the conditions of probation. *Id.* Here, the district court was presented with evidence that Marlow tested positive for methamphetamines on three separate dates and admitted to the use of methamphetamines on another date, that he failed to appear for Drug

Court and a bench warrant was issued, and that, when officers attempted to make contact with him at his residence in order to serve the bench warrant, he refused to open the door or comply with the officers' directives. The evidence shows that Marlow's conduct was not as good as required by the conditions of probation, and we conclude the district court did not abuse its discretion by revoking his probation. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Saitta

cc: Hon. Patrick Flanagan, District Judge  
Washoe County Public Defender  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk