

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CHERI LEE GARTNER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 66542

**FILED**

**FEB 04 2015**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of driving under the influence of alcohol, above the legal limit, third or subsequent offense. Second Judicial District Court, Washoe County; Patrick Flanagan, Judge.


Appellant claims that the district court abused its discretion by imposing her sentence to run consecutive to a sentence imposed in another case. We disagree.

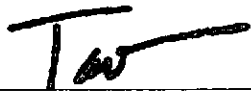
It is within the district court's discretion to impose consecutive sentences. See NRS 176.035(1); *Warden v. Peters*, 83 Nev. 298, 303, 429 P.2d 549, 552 (1967). See generally *Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987) ("The sentencing judge has wide discretion in imposing a sentence . . ."). We will refrain from interfering with the sentence imposed "[s]o long as the record does not demonstrate prejudice resulting from consideration of information or accusations founded on facts supported only by impalpable or highly suspect evidence." *Silks v. State*, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976).

Before imposing sentence, the district court noted that appellant had been convicted of several DUI offenses with rapidity. The

court also noted that appellant's blood alcohol content for this offense was a .355. The court then imposed a term of 28-70 months, to be served consecutive to the sentence imposed in another case. The sentence imposed in this case is within the parameters provided by the relevant statute. See NRS 484C.400(1)(c). We conclude the district court did not abuse its discretion by imposing the sentence to run consecutive to appellant's sentence for another offense. Accordingly, we

ORDER the judgment of conviction AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Silver

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