

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

BRADLEY ALLEN SANDEFUR,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 69445

FILED

APR 20 2016

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 burglary. Second Judicial District Court, Washoe County; David A. Hardy, Judge.


Appellant Bradley Sandefur claims the district court abused its discretion at sentencing because it relied on the prosecutor's argument for graduated sentencing, even though there is no proof that graduated sentencing works.

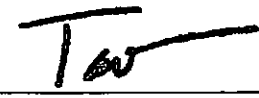
The district court has wide discretion in its sentencing decision. *See Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987). We will not interfere with the sentence imposed by the district court "[s]o long as the record does not demonstrate prejudice resulting from consideration of information 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).

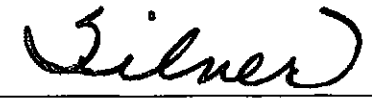
Sandefur's sentence of 48 to 120 months is within the parameters provided by the relevant statute. *See* NRS 205.060(2). And the record demonstrates the district court did not rely on impalpable or highly suspect evidence when imposing the sentence. Therefore, we

conclude the district court did not abuse its discretion when imposing sentence, and we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. David A. Hardy, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk