

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MICHAEL JAMES ROBERTS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 69423

**FILED**

APR 20 2016

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

*ORDER OF AFFIRMANCE*


This is an appeal from an amended judgment of conviction entered pursuant to a guilty plea of possession of stolen property. Eighth Judicial District Court, Clark County; Stefany Miley, Judge.


Appellant Michael Roberts claims the district court abused its discretion by basing its restitution determination on suspect and highly impalpable evidence. We will not disturb a district court's restitution determination so long as it is based on "reliable and accurate evidence." *Martinez v. State*, 115 Nev. 9, 12-13, 974 P.2d 133, 135 (1999). Here, the district court's restitution determination was based on a State Farm Insurance Company document that verified the victim paid a \$500 deductible for his theft-from-home claim. We conclude the district court did not abuse its discretion by relying upon this document to set the restitution amount.


Roberts also claims the district court abused its discretion by awarding restitution because it was not based on an offense he has admitted, on which he was found guilty, or on which he agreed to pay. However, this is substantially the same claim Roberts raised in his first appeal and we conclude further litigation of this claim is barred by the

doctrine of law of the case. *See Hall v. State*, 91 Nev. 314, 315, 535 P.2d 797, 798 (1975); *Roberts v. State*, Docket No. 67984 (Order Affirming in Part, Reversing in Part and Remanding, October 19, 2015) (holding the district court properly ordered Roberts to pay restitution pursuant to NRS 205.275(3)).

Having concluded Roberts is not entitled to relief, we  
ORDER the amended judgment of conviction AFFIRMED.

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

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

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

cc: Hon. Stefany Miley, District Judge  
Clark County Public Defender  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk