

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRETT ALAN BUCKMASTER,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 36381

FILED

OCT 02 2000

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

BRETT ALAN BUCKMASTER,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 36394

ORDER OF AFFIRMANCE

These are consolidated appeals from judgments of conviction, pursuant to guilty pleas, of two counts of driving while having 0.10 percent or more by weight of alcohol in the blood. The district court sentenced appellant to serve two consecutive terms of 24 to 60 months in the Nevada State Prison and to pay \$4,000.00 in fines.

Appellant asks this court to review the sentence imposed and remand for a new sentencing hearing. Citing the dissent in Tanksley v. State, 113 Nev. 844, 944 P.2d 240 (1997), appellant argues that this court should review the sentence to determine whether concurrent sentences would have been more appropriate. We conclude that appellant's contention lacks merit.

This court has consistently afforded the district court wide discretion in its sentencing decision. See Houk v. State, 103 Nev. 659, 747 P.2d 1376 (1987). We will not interfere with the sentence imposed "[s]o long as the record

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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).

Appellant does not allege that the district court relied on impalpable or highly suspect evidence. The sentence imposed is within the parameters provided by the relevant statute. See NRS 484.3792(1)(c). Moreover, the district court has discretion to impose consecutive sentences and appellant has not demonstrated that the court abused that discretion. See NRS 176.035(1). Finally, to the extent that appellant contends that the sentencing judge may have misunderstood the length of time appellant would be incarcerated if given concurrent sentences, we conclude that the record does not demonstrate any such confusion. We therefore affirm the judgments of conviction.

It is so ORDERED.

Young, J.
Young

Maupin, J.
Maupin

Becker, J.
Becker

cc: Hon. Steven P. Elliott, District Judge
Attorney General
Washoe County District Attorney
Washoe County Public Defender
Washoe County Clerk