

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JULIAN DEVINCENT HAMILTON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 72793

**FILED**

AUG 16 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT

BY *[Signature]*  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Julian DeVincent Hamilton appeals from a judgment of conviction entered pursuant to a guilty plea of possession of a controlled substance for the purpose of sale. Second Judicial District Court, Washoe County; Scott N. Freeman, Judge.


Hamilton suggests the district court abused its discretion at sentencing but does not allege any sentencing errors. Instead, he argues we should delay our consideration of this appeal until the appeal in another case has been resolved because the sentencing in this case and the sentencing in the other case occurred during the same proceeding. He further argues fundamental fairness requires the sentence in this case to be reversed if the sentence in the other case is reversed. We conclude Hamilton has not provided a compelling reason for delaying our consideration of his appeal.

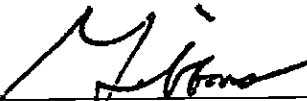
We review a district court's sentencing decision for abuse of discretion. *Chavez v. State*, 125 Nev. 328, 348, 213 P.3d 476, 490 (2009). Hamilton's 19- to 48-month prison term falls within the parameters of the relevant statutes. *See* NRS 193.130(2)(d); NRS 453.337(2)(a). The record does not suggest the district court's sentencing decision was based on

impalpable or highly suspect evidence. *See Silks v. State*, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976). We note Hamilton's sentence was imposed to run concurrently with the sentence in his other case and we conclude he has not demonstrated the district court abused its discretion at sentencing. Therefore, we

ORDER the judgment of conviction AFFIRMED.

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

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

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

cc: Hon. Scott N. Freeman, District Judge  
Washoe County Public Defender  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk