

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CHANEL NICOLE PERVERE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 72373

FILED

SEP 13 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

Chanel Nicole Pervere appeals from a judgment of conviction, pursuant to a guilty plea, of possession for sale of a schedule II controlled substance. Second Judicial District Court, Washoe County; Patrick Flanagan, Judge.


Pervere, relying on NRS 458.300, contends the district court erred in making participation in drug court a condition of her probation despite its statement that it was "not convinced that she's an addict." We review a district court's sentencing decision for an abuse of discretion. See *Chavez v. State*, 125 Nev. 328, 348, 213 P.3d 476, 490 (2009).


While the district court was not convinced Pervere was addicted to drugs, it acknowledged her admission that she was a recreational user of controlled substances and concluded she would benefit from the drug court program. The district court thus imposed successful completion of the drug court program as a condition of probation. See NRS 176A.400(2) (investing


the district court with the power to impose any activity it feels appropriate).

We therefore conclude the district court did not abuse its discretion, and we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Patrick Flanagan, District Judge
Kenneth J. McKenna
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk