

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KENNETH CHARLES PAZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 72738

FILED

APR 11 2018

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

ORDER OF AFFIRMANCE


Kenneth Charles Paz appeals from a judgment of conviction, pursuant to a guilty plea, for battery with the use of a deadly weapon. First Judicial District Court, Carson City; James E. Wilson, Judge.

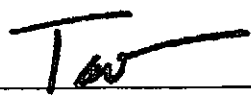
Paz contends the district court abused its discretion by denying his request to be placed on probation. The granting of probation is discretionary. *See* NRS 176A.100(1)(c); *see generally Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987) (“The sentencing judge has wide discretion in imposing a sentence.”). This court will refrain from interfering with the sentence imposed “[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).


The sentence imposed in this case—24 to 120 months—is within the parameters provided by the relevant statute, *see* NRS 200.481(2)(e)(1), and Paz does not allege the district court relied on impalpable or highly suspect evidence. We therefore conclude the district

court did not abuse its discretion in declining to suspend the sentence and place Paz on probation. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. James E. Wilson, District Judge
State Public Defender/Carson City
Attorney General/Carson City
Carson City District Attorney
Carson City Clerk