

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RICHARD CONTRERAS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 73295

**FILED**

FEB 13 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Richard Contreras appeals from a judgment of conviction entered pursuant to a guilty plea of grand larceny. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

Contreras argues the district court abused its discretion at sentencing by declining his request for assignment to a program for the treatment of problem gambling and by failing to make specific findings regarding its determination that he was not suitable for treatment. Contreras asserts the district court improperly declined to assign him to a treatment program due to the large amount of restitution he owed. 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). We will not interfere with the sentence imposed by the district court "[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 district court conducted a hearing regarding Contreras' request for assignment to a treatment program, heard the arguments of the parties, and determined Contreras was not a good candidate for treatment.

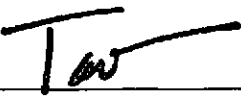
18-900250

See NRS 458A.230(2). Following Contreras' request for the district court to reconsider assignment in a treatment program, the district court clarified it did not deny Contreras' request for a treatment program based upon any lack of ability to pay restitution, but rather concluded he was not a good candidate based upon the facts of this case. The district court sentenced Contreras to a suspended prison term of 12 to 34 months and placed him on probation for a period not to exceed five years, which was within the parameters of the relevant statutes. See NRS 176A.100(1)(c); NRS 193.130(2)(c); NRS 205.222(2).

Given the circumstances in this matter, we conclude Contreras fails to demonstrate the district court abused its discretion when imposing sentence or improperly failed to make specific findings regarding its decision to deny Contreras' request for assignment to a program for the treatment of problem gambling. Accordingly, we

ORDER the judgment of conviction AFFIRMED.

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

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

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

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