

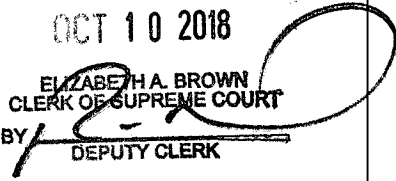
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

LATRELL J. SPEECH,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 74323

FILED

OCT 10 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Latrell J. Speech appeals from a judgment of conviction entered pursuant to a guilty plea of escape. First Judicial District Court, Carson City; James Todd Russell, Judge.

Speech argues the district court abused its discretion at sentencing by declining his request for probation. Speech asserts he had “positive plans” had he been placed on probation. We review a district court's sentencing decision for an 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).

Speech's sentence of 12 to 30 months in prison is within the parameters provided by the relevant statute, *see* NRS 212.190(1)(b), and Speech does not allege that the district court relied on impalpable or highly suspect evidence. Moreover, the decision to deny Speech's request for probation was within the district court's discretion. *See* NRS 176A.100(1)(c). Based on the record before this court, we conclude the

district court did not abuse its discretion when imposing sentence.
Accordingly, we

ORDER the judgment of conviction AFFIRMED.

Silver, C.J.
Silver

Tao, J.
Tao

Gibbons, J.
Gibbons

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