

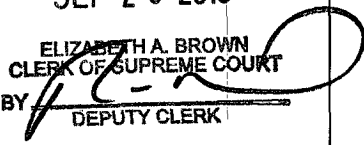
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JUDITH SCRASE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 74599

FILED

SEP 26 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Judith Scrase appeals from a judgment of conviction entered pursuant to a guilty plea of offering false instrument for filing or record. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

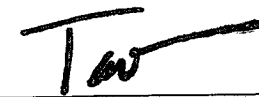
Scrase argues her sentence amounts to cruel and unusual punishment because the victim was not actually harmed financially. Regardless of its severity, “[a] sentence within the statutory limits is not ‘cruel and unusual punishment unless the statute fixing punishment is unconstitutional or the sentence is so unreasonably disproportionate to the offense as to shock the conscience.’” *Blume v. State*, 112 Nev. 472, 475, 915 P.2d 282, 284 (1996) (quoting *Culverson v. State*, 95 Nev. 433, 435, 596 P.2d 220, 221-22 (1979)); see also *Harmelin v. Michigan*, 501 U.S. 957, 1000-01 (1991) (plurality opinion) (explaining the Eighth Amendment does not require strict proportionality between crime and sentence; it forbids only an extreme sentence that is grossly disproportionate to the crime).

Scrase’s sentence of 19 to 48 months falls within the parameters provided by the relevant statutes, see NRS 193.130(2)(c); NRS 239.330, and Scrase does not allege that those statutes are unconstitutional. We

conclude the sentence imposed is not grossly disproportionate to the crime and does not constitute cruel and unusual punishment. 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