


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ROBERT ANDREW RAMSEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 74822

FILED

SEP 26 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Robert Andrew Ramsey appeals from a judgment of conviction entered pursuant to a guilty plea of stop required upon signal of peace officer and possession of a stolen motor vehicle. Second Judicial District Court, Washoe County; Scott N. Freeman, Judge.

Ramsey argues the district court abused its discretion at sentencing by ordering him to serve consecutive prison terms even though his two crimes arose out of the same transaction. 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).


Ramsey's aggregate prison sentence of 52 to 132 months falls within the parameters of the relevant statutes, *see* NRS 193.130(2)(c); NRS 205.273(3); NRS 484B.550(3)(b), and Ramsey does not allege the district court relied upon impalpable or highly suspect evidence when it imposed the sentence. NRS 176.035(1) plainly gives the district court discretion to

run subsequent sentences consecutively, *Pitmon v. State*, 131 Nev. 123, 129, 352 P.3d 655, 659 (Ct. App. 2015), and Ramsey fails to demonstrate the district court erred by exercising its discretion when it imposed consecutive terms. Moreover, the decision to deny Ramsey'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.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Scott N. Freeman, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk