

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JESSICA MEGAN LEANN CAIN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 74077

FILED

SEP 14 2018

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

ORDER OF AFFIRMANCE

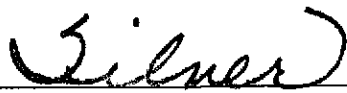
Jessica Megan Leann Cain appeals from a judgment of conviction, pursuant to a no-contest plea, of driving under the influence of alcohol, third offense. First Judicial District Court, Carson City; William A. Maddox, Senior Judge.

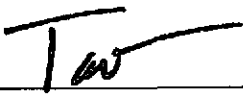
Cain contends the district court abused its discretion by not sentencing her to the minimum possible sentence. The district court has wide discretion in its sentencing decision. *Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987). We will not interfere with a sentence imposed by the district court that falls within the parameters of relevant sentencing statutes “[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).

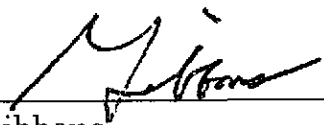
The district court sentenced Cain to a term of 18 to 60 months in prison. This sentence is within the parameters provided by the relevant statute. See NRS 484C.400(1)(c). And Cain does not allege the district court relied on impalpable or highly suspect evidence. We therefore conclude the

district court did not abuse its discretion by not sentencing Cain to the minimum possible sentence. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. William A. Maddox, Senior Judge
State Public Defender/Carson City
Attorney General/Carson City
Carson City District Attorney
Carson City Clerk