

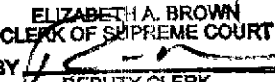
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

BOBBY LLOYD MANN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 74136

**FILED**

AUG 24 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*


Bobby Lloyd Mann appeals from a judgment of conviction, pursuant to a guilty plea, for obtaining money by false pretenses. Second Judicial District Court, Washoe County; Scott N. Freeman, Judge.

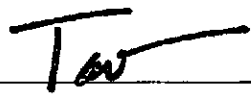
Mann contends the district court abused its discretion by adjudicating him a habitual criminal. Mann notes his prior felonies were remote and nonviolent and he is already under a life sentence as a result of a habitual-criminal adjudication in a 2004 case. Mann argues that, because of the foregoing, adjudicating him a habitual criminal a second time “was not necessary and did not serve any additional sentencing purpose.”

The district court has broad discretion to dismiss a count of habitual criminality. *See* NRS 207.010(2); *O'Neill v. State*, 123 Nev. 9, 12, 153 P.3d 38, 40 (2007). The record reveals the district court understood its sentencing authority and properly exercised its discretion to adjudicate Mann a habitual criminal. *See Hughes v. State*, 116 Nev. 327, 333, 996 P.2d 890, 893-94 (2000); *see also Arajakis v. State*, 108 Nev. 976, 983, 843 P.2d 800, 805 (1992) (“NRS 207.010 makes no special allowance for non-violent

crimes or for the remoteness of convictions.”). We conclude the district court did not abuse its discretion and Mann’s claim lacks merit. 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