

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

SCOTT ROLAND ALEXANDER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 75080

FILED

JUL 27 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Scott Roland Alexander appeals from an order revoking probation. Second Judicial District Court, Washoe County; Egan Walker, Judge.

Alexander argues the district court abused its discretion by revoking his probation. Alexander asserts the district court should have considered options other than revoking probation and the district court failed to exert its discretion because the district court committed itself to a revocation based on comments made at the hearing.

The decision to revoke probation is within the broad discretion of the district court, and will not be disturbed absent a clear showing of abuse. *Lewis v. State*, 90 Nev. 436, 438, 529 P.2d 796, 797 (1974). Evidence supporting a decision to revoke probation must merely be sufficient to reasonably satisfy the district court that the conduct of the probationer was not as good as required by the conditions of probation. *Id.*

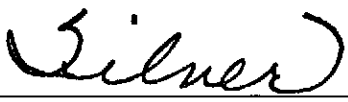
At the hearing, Alexander admitted to the violations of his parole, including failing to check in with the Division of Parole and Probation (Division), failing to complete a substance abuse evaluation, and failing a drug test. Alexander requested his probation be reinstated,

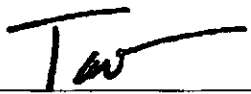
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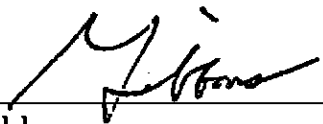
informing the district court his use of marijuana while on probation was a mistake and he wished to minister to the homeless. Following the arguments of the parties, the district court concluded Alexander's record of not reporting to the Division and his prior failures on probation demonstrated Alexander's probation should be revoked. The district court also found Judge Flanagan intended to give Alexander one last chance on probation, and his violation of that chance meant Alexander's probation should be revoked.

We conclude that while the district court may have improperly considered its interpretation of what Judge Flanagan's intent was for Alexander's probation, the district court properly exercised its discretion based on Alexander's failure to report to the Division and his history of failures on probation. As Alexander concedes, his conduct on probation was not as good as required by the conditions of probation. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Egan Walker, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk