

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

FRANCESCA AMBERLEE BERTOLINI,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 75326-COA

FILED

MAR 20 2019

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

ORDER OF AFFIRMANCE


Francesca Amberlee Bertolini appeals from a judgment of conviction, pursuant to a guilty plea, of trafficking in a schedule 1 controlled substance. First Judicial District Court, Carson City; James Todd Russell, Judge.

Bertolini contends the district court abused its discretion by running her sentence consecutive to that in another case. It is within the district court's discretion to impose consecutive sentences. *See* NRS 176.035(1); *Pitmon v. State*, 131 Nev. 123, 128-29, 352 P.3d 655, 659-60 (Ct. App. 2015); *see also Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987) ("The sentencing judge has wide discretion in imposing a sentence . . ."). This court will refrain from interfering with the sentence imposed "[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 sentence of 24 to 72 months that was imposed in this case is within the parameters provided by the relevant statute. *See* NRS 453.3385(1)(a). And the district court explained it was running the sentence

consecutively because it represented a totally separate act that involved a lot of people and caused a lot of pain. Given this record, we conclude the district court did not abuse its discretion by imposing consecutive sentences. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Tao


_____, J.
Gibbons


_____, J.
Bulla

cc: Hon. James Todd Russell, District Judge
State Public Defender/Carson City
Attorney General/Carson City
Carson City District Attorney
Carson City Clerk