

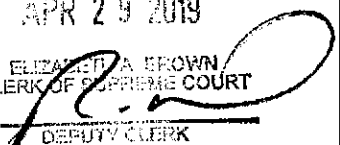
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KHALID CHARLOT A/K/A KAHLID
CHARLOT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 75252-COA

FILED

APR 29 2019

ELEANORA BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Khalid Charlot appeals from a judgment of conviction entered pursuant to a guilty plea of three counts of robbery with the use of a deadly weapon. Eighth Judicial District Court, Clark County; Michael Villani, Judge.


Charlot claims his consecutive prison terms totaling 198 to 648 months constitute cruel and unusual punishment. He argues that he did not have a previous criminal record, he received the same sentence as three of his four codefendants, and he was "less directly involved" in the commission of these crimes than were his codefendants.

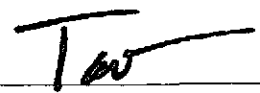
Regardless of its severity, "[a] sentence within the statutory limits is not 'cruel and unusual punishment unless the statute fixing punishment is unconstitutional or the sentence is so unreasonably disproportionate to the offense as to shock the conscience.'" *Blume v. State*, 112 Nev. 472, 475, 915 P.2d 282, 284 (1996) (quoting *Culverson v. State*, 95 Nev. 433, 435, 596 P.2d 220, 221-22 (1979)); see also *Harmelin v. Michigan*, 501 U.S. 957, 1000-01 (1991) (plurality opinion) (explaining the Eighth Amendment does not require strict proportionality between crime and

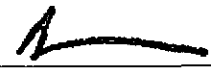
sentence; it forbids only an extreme sentence that is grossly disproportionate to the crime).

Here, the sentence imposed falls within the parameters provided by the relevant statutes, *see* NRS 193.165(1); NRS 200.380(2), and Charlot does not allege that those statutes are unconstitutional. We conclude the sentence imposed is not grossly disproportionate to Charlot's crimes and it does not constitute cruel and unusual punishment. Accordingly, we

ORDER the judgment of conviction AFFIRMED.¹


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Michael Villani, District Judge
Zaman Legal
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

¹To the extent Charlot argues the district court abused its discretion at sentencing by not considering "valid reasons to distinguish [his] conduct from that of his codefendants," we conclude he failed to demonstrate any abuse. *See Chavez v. State*, 125 Nev. 328, 348, 213 P.3d 476, 490 (2009).