

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDWARD PERRY ROLLINS,

No. 36995

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

**FILED**

FEB 21 2001

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Rubash*  
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of causing substantial bodily harm to another by driving while under the influence of alcohol. The district court sentenced appellant to serve 32 to 144 months in prison and ordered appellant to pay \$26,860.06 in restitution.

Appellant's sole contention is that the district court failed to exercise its sentencing discretion and, instead, abdicated its responsibility to the Division of Parole and Probation. We conclude that this contention lacks merit.

This court has consistently afforded the district court wide discretion in its sentencing decision.<sup>1</sup> Accordingly, we 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."<sup>2</sup>

In the instant case, appellant does not allege that the district court relied on impalpable or highly suspect evidence. Moreover, the sentence imposed is within the parameters provided by the relevant statute.<sup>3</sup> Accordingly, we will not interfere with the sentence imposed.

<sup>1</sup>See *Houk v. State*, 103 Nev. 659, 747 P.2d 1376 (1987).

<sup>2</sup>*Silks v. State*, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976).

<sup>3</sup>See NRS 484.3795(1).

Having considered appellant's contention and concluded that it lacks merit, we

ORDER the judgment of conviction AFFIRMED.

Young J.  
Young

Rose J.  
Rose

Becker J.  
Becker

cc: Hon. Steven P. Elliott, District Judge  
Attorney General  
Washoe County District Attorney  
Washoe County Public Defender  
Washoe County Clerk