


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CHELSEA KEBRINA JOHNSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 77886-COA

FILED

NOV 13 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Chelsea Kebrina Johnson appeals from a judgment of conviction entered pursuant to a guilty plea of child abuse or neglect resulting in substantial bodily harm or mental harm. Second Judicial District Court, Washoe County; Jerome M. Polaha, Judge.

Johnson claims the district court abused its discretion by denying her request to continue sentencing so that she could receive counseling to address her mental health issues.

We review a district court's decision to grant or deny a motion for a continuance for an abuse of discretion. *Higgs v. State*, 126 Nev. 1, 9, 222 P.3d 648, 653 (2010). "Each case turns on its own particular facts, and much weight is given to the reasons offered to the trial judge at the time the request for a continuance is made." *Id.* "However, if a defendant fails to demonstrate that [she] was prejudiced by the denial of the continuance, then the district court's decision to deny the continuance is not an abuse of discretion." *Id.*


Johnson claims the continuance was necessary to receive counseling for her major depression disorder. Johnson hoped that the counseling would lower her assessed high risk to reoffend and make her

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eligible for probation. The record demonstrates that two evaluators had determined that Johnson possessed a high risk to reoffend. Johnson has not shown that her risk to reoffend would be reduced and she would be granted probation if she received counseling. And Johnson has not cited to any authority that would require the district court to continue to grant her continuances with no end in sight. *See Maheu v. Eighth Judicial Dist. Court*, 89 Nev. 214, 217, 510 P.2d 627, 629 (1973) (recognizing the court's inherent power to "control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants"); *see also Yong v. Immigration and Naturalization Service*, 208 F.3d 1116, 1119 (9th Cir.2000) (holding that a court has the inherent authority to control its own docket and calendar). We conclude Johnson has not demonstrated that she was prejudiced by the district court's denial of her motion for a continuance or that the district court abused its discretion by denying the motion, and we

ORDER the judgment of conviction AFFIRMED.¹


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

¹To the extent Johnson argues that the district court misapprehended NRS 176A.110, this argument is plainly belied by the record.

cc: Hon. Jerome M. Polaha, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk