

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CARNELL DUHON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 77920-COA

FILED

DEC 20 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Carnell Duhon appeals from a judgment of conviction, pursuant to a guilty plea,¹ of voluntary manslaughter. Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

Duhon contends the district court abused its discretion at sentencing by failing to expressly consider the mitigating circumstances presented. The district court has wide discretion in its sentencing decision. *See Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987). We will not interfere with a sentence imposed by the district court that falls within the parameters of relevant sentencing statutes “[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).

After hearing Duhon’s mitigation evidence, the district court sentenced him to 14 to 60 months in prison. This sentence is within the

¹The judgment of conviction suggests Duhon’s plea was entered pursuant to *North Carolina v. Alford*, 400 U.S. 25 (1970). This appears to be a clerical error, and the district court may correct such an error at any time. NRS 176.565.


parameters provided by the relevant statute. See NRS 200.080. And Duhon does not allege that the district court relied on impalpable or highly suspect evidence. Having considered the sentence and the crime, we conclude the district court did not abuse its discretion in sentencing Duhon.

Duhon also contends his sentence violates the Equal Protection Clause. "It is appellant's responsibility to present relevant authority and cogent argument." *Maresca v. State*, 103 Nev. 669, 673, 748 P.2d 3, 6 (1987). Duhon provided neither. Accordingly, we decline to address this claim. See *id.*

Finally, Duhon contends that the decision in *Campbell v. Eighth Judicial Dist. Court*, 114 Nev. 410, 957 P.2d 1141 (1998), declining to require sentencing courts to articulate the reasons for sentences imposed, should be overruled. This court cannot overrule Nevada Supreme Court precedent. See *People v. Solorzano*, 63 Cal. Rptr. 3d 659, 664 (2007), as modified (Aug. 15, 2007) ("The Court of Appeal must follow, and has no authority to overrule, the decisions of the California Supreme Court." (quotation marks and internal punctuation omitted)). Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Valerie Adair, District Judge
Special Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk