

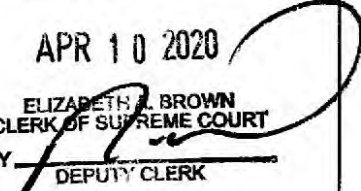
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ROBERT VANCE WILSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 78992-COA

FILED

APR 10 2020

ELIZABETH L. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Robert Vance Wilson appeals from a judgment of conviction entered pursuant to a guilty plea of three counts of child abuse, neglect, or endangerment. Sixth Judicial District Court, Humboldt County; Michael Montero, Judge.


Wilson claims the district court abused its discretion at sentencing by sending him to prison instead of suspending his sentence and placing him on probation. He asserts that his psychosexual evaluation and probation-probability-success score were favorable and his intimate relationship with the 16-year-old child was legal. And he speculates that the district court intended to punish him for conduct that was legal and not for the crimes to which he admitted.

We review a district court's sentencing decision for abuse of discretion. *Chavez v. State*, 125 Nev. 328, 348, 213 P.3d 476, 490 (2009). We will not interfere with the sentence imposed by the district court "[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 district court's decision to grant probation is discretionary. NRS 176A.100(1)(c).

Wilson's sentence of 28 to 72 months in prison for each count of child abuse, neglect, or endangerment falls within the statutory parameters of the relevant statute. See NRS 200.508(1)(b)(1). Wilson has not demonstrated that the district court relied on impalpable or highly suspect evidence. And we conclude the district court did not abuse its discretion by declining to suspend the sentence and place Wilson on probation. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Michael Montero, District Judge
Humboldt County Public Defender
Attorney General/Carson City
Humboldt County District Attorney
Humboldt County Clerk