

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ADELL CLEO COBBIN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 80567-COA

FILED

JUL 24 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

Adell Cleo Cobbin appeals from a judgment of conviction entered pursuant to a plea of no contest to attempted possession of a stolen motor vehicle. Fourth Judicial District Court, Elko County; Nancy L. Porter, Judge.

Cobbin claims the district court abused its discretion by convicting him of a felony and sentencing him to prison. He argues that he has a limited criminal history, he is committed to making the victims whole,¹ and the State wrongly claimed he lacked remorse. And he asserts “[h]e was sorry in every sense if the word.”

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

¹Under terms of the plea agreement, Cobbin agreed to pay the victims \$500 in restitution, which was the amount of the deductible the victims paid to their insurance company.

by impalpable or highly suspect evidence.” *Silks v. State*, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976).

Here, Cobbin’s sentence falls within the parameters of the relevant statutes. See NRS 193.130(2)(d); NRS 193.330(1)(a)(4); NRS 205.273(3). Cobbin has not alleged the district court relied on impalpable or highly suspect evidence. And the record plainly shows that the district court based its sentencing decision on Cobbin’s failure to learn from the sentences he received for his past crimes. Accordingly, we conclude the district court did not abuse its discretion at sentencing, and we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Nancy L. Porter, District Judge
Elko County Public Defender
Attorney General/Carson City
Elko County District Attorney
Elko County Clerk