

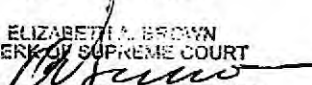
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ROBERT MICHAEL JOHNSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 80297-COA

FILED

SEP 23 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Robert Michael Johnson appeals from a judgment of conviction entered pursuant to a guilty plea of three counts of lewdness on a child under the age of 14 years. Second Judicial District Court, Washoe County; Egan K. Walker, Judge.

Johnson claims the district court abused its discretion at sentencing by imposing the sentences in counts two and three to run consecutively. He argues the district court was improperly influenced by the victim's mother's statements and the legislative trend toward increased penalties for crimes against children.

We review a district court's sentencing decision for an 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).


Johnson's sentences to life in prison with the possibility of parole fall within the parameters of the relevant statute. *See* NRS

201.230(2). He has not demonstrated that the district court relied solely on palpable or highly suspect evidence. And NRS 176.035(1) plainly gives the district court discretion to run the subsequent sentences consecutively. *Pitmon v. State*, 131 Nev. 123, 128-29, 352 P.3d 655, 659 (Ct. App. 2015).

The record demonstrates the district court considered the impact sexual crimes have on child victims, the Legislature's consistent increases to the penalties for crimes against children over the years, and the crimes that Johnson actually committed in this case. We conclude the district court's consideration of this information was proper and that the district court did not abuse its discretion at sentencing. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Egan K. Walker, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk