

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARY ELLEN HARWELL,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

No. 37548

**FILED**

**MAY 30 2001**

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order revoking appellant's probation.

On June 16, 1999, appellant was convicted, pursuant to a guilty plea, of willfully endangering a child as a result of neglect. The district court sentenced appellant to serve twelve months in jail, suspended the sentence, and placed appellant on probation for a period not to exceed two years.

While on probation, appellant relocated without notifying her probation officer. Although appellant had not reoffended while on probation, the Division of Parole and Probation recommended that appellant's probation be revoked because she was not an appropriate candidate for supervision since she had "absconded" and failed to complete the conditions of her probation. After a brief hearing where counsel for appellant argued that the district court should consider reasonable alternatives to revocation, including

house arrest and discharge from probation, the district court revoked appellant's probation.

Appellant argues that the district court abused its discretion in revoking her probation because it failed to consider other reasonable alternatives to revocation of appellant's probation. We conclude that this contention lacks merit. The district court considered other alternatives to revocation when it presided over a hearing where counsel for appellant argued for these alternatives. After entertaining argument, the district court revoked appellant's probation.

The decision to revoke probation is within the broad discretion of the district court, and will not be disturbed absent a clear showing of abuse.<sup>1</sup> Evidence supporting a decision to revoke probation must merely be sufficient to reasonably satisfy the district court that the conduct of the probationer was not as good as required by the conditions of probation.<sup>2</sup> Here, appellant's conduct was not as good as required by the conditions of her probation because she relocated without notifying the Division of Parole and Probation. Because there is sufficient evidence in support of the district court's determination, we conclude that the district court did not abuse its discretion in revoking appellant's probation.

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<sup>1</sup>Lewis v. State, 90 Nev. 436, 438, 529 P.2d 796, 797 (1974).


<sup>2</sup>Id.

Having considered appellant's contention and concluded that it lacks merit, we

ORDER the judgment of the district court AFFIRMED.

  
Shearing J.

  
Agosti J.

  
Rose J.

cc: Hon. Steven R. Kosach, District Judge  
Attorney General  
Washoe County District Attorney  
Washoe County Public Defender  
Washoe County Clerk