

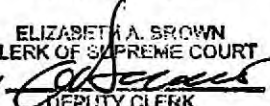
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JERRETT DANIEL BUSBY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 81602-COA

FILED

MAR 25 2021

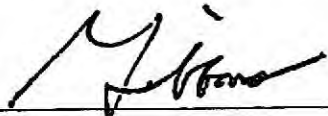
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK


ORDER OF AFFIRMANCE

Jerrett Daniel Busby appeals from a judgment of conviction entered pursuant to a no contest plea of battery upon a peace officer. Sixth Judicial District Court, Humboldt County; Michael Montero, Judge.

Busby claims the district court erred by sentencing him to a term of probation of 18 months because it exceeds that allowed by NRS 176A.500. “[T]he proper penalty is the penalty in effect at the time of the commission of the offense” *State v. Second Judicial Dist. Court (Pullin)*, 124 Nev. 564, 567, 188 P.3d 1079, 1081 (2008). Busby committed the offense on May 27, 2018. At that time, NRS 176A.500(1)(a)(1) provided for a term of probation of up to three years. 2017 Nev. Stat., ch. 503, § 1, at 3312. Therefore, we conclude the district court did not err by sentencing Busby to a term of probation of 18 months. 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