

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ALEX MARTIN WARREN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 81520-COA

**FILED**

JUL 21 2021

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

*ORDER OF AFFIRMANCE*

Alex Martin Warren appeals from a judgment of conviction entered pursuant to a guilty plea of coercion and preventing or dissuading a victim or other from reporting a crime, commencing prosecution, or causing arrest. Second Judicial District Court, Washoe County; Kathleen M. Drakulich, Judge.

First, Warren argues the district court abused its discretion at sentencing because it imposed an unfair and excessive prison sentence rather than imposing probation. Warren contends he should have been placed on probation in order to treat his mental health issues. The district court has wide discretion in its sentencing decision. *See Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987). We will not interfere with a sentence imposed by the district court that falls within the parameters of relevant sentencing statutes “[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.”<sup>1</sup>  
*Silks v. State*, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976).

At the sentencing hearing, the district court listened to the arguments of the parties and noted Warren’s mental health issues. The district court concluded a sentence of concurrent terms totaling 24 to 72 months in prison was appropriate. The sentence falls within the parameters of the relevant statutes, *see* NRS 176.035(1); NRS 193.130(2)(d); NRS 199.305(1); NRS 207.190(2)(a), and Warren does not allege the district court relied upon impalpable or highly suspect evidence when it imposed sentence. Additionally, it was within the district court’s discretion to decline to place Warren on probation. *See* NRS 176A.100(1)(c). Considering the record before this court, we conclude Warren fails to demonstrate the district court abused its discretion when imposing sentence.

Warren also appears to claim that his sentence violates his rights to due process, a fair trial, equal protection, and a constitutionally sound sentence. However, Warren does not provide cogent argument concerning these issues, and we thus decline to address them. *See Maresca v. State*, 103 Nev. 669, 673, 748 P.2d 3, 6 (1987) (“It is appellant’s

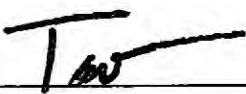
---

<sup>1</sup>Warren urges this court to adopt a different standard of review for the imposition of a sentence and to instead review a sentence to ascertain whether it is unfairly harsh. However, this court cannot overrule Nevada Supreme Court precedent. *See People v. Solorzano*, 63 Cal. Rptr. 3d 659, 664 (Ct. App. 2007), *as modified* (Aug. 15, 2007) (“The Court of Appeal must follow, and has no authority to overrule, the decisions of the California Supreme Court.” (quotation marks and internal punctuation omitted)); *see also Hubbard v. United States*, 514 U.S. 695, 720 (1995) (Rehnquist, C.J., dissenting) (observing *stare decisis* “applies *a fortiori* to enjoin lower courts to follow the decision of a higher court”).

responsibility to present relevant authority and cogent argument; issues not so presented need not be addressed by this court.”). Accordingly, we

ORDER the judgment of conviction AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Kathleen M. Drakulich, District Judge  
Victoria T. Oldenburg  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk