

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

COREY CORTEZ DUPREE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83154-COA

FILED

DEC 16 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

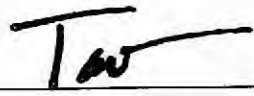
Corey Cortez Dupree appeals from a judgment of conviction entered pursuant to a guilty plea of burglary. Second Judicial District Court, Washoe County; Scott N. Freeman, Judge.

Dupree claims the district court abused its discretion by imposing his sentence to run consecutively to a sentence imposed in a separate case. Dupree argues the district court may have thought it was required to impose consecutive sentences based on the State's argument at sentencing that the offenses were separate and distinct. It is within the district court's discretion to impose consecutive sentences. *See* NRS 176.035(1); *Pitmon v. State*, 131 Nev. 123, 128-29, 352 P.3d 655, 659 (Ct. App. 2015); *see also Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987) ("The sentencing judge has wide discretion in imposing a sentence . . ."). Generally, this court will refrain from interfering with the sentence imposed "[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).

After hearing the argument of the parties, the district court explained to the victim that it would “decide whether the time [Dupree] gets will run consecutively or at the same time as the previous penalty.” The district court’s statement demonstrated it did not believe it was required to impose consecutive sentences. Moreover, the 24-to-60-month prison sentence imposed by the district court was within the parameters provided by the relevant statute, *see* 2013 Nev. Stat., ch. 488, § 1, at 2987 (former NRS 205.060(2)), and Dupree does not allege the district court relied on impalpable or highly suspect evidence when imposing his sentence. Based on this record, we conclude the district court did not abuse its discretion by imposing consecutive sentences. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Scott N. Freeman, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk