

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MIGUEL ANGEL ORTIZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 82770-COA

FILED

DEC 29 2021

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

ORDER OF AFFIRMANCE

Miguel Angel Ortiz appeals from a judgment of conviction entered pursuant to a guilty plea of battery constituting domestic violence by strangulation. Second Judicial District Court, Washoe County; David A. Hardy, Judge.


Ortiz argues the district court abused its discretion at sentencing by imposing a lengthy prison sentence without properly considering his lack of significant criminal history as mitigation evidence. Ortiz also contends the district court erred by failing to provide a sufficient reason for its sentencing decision.

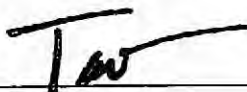
The district court has wide discretion in its sentencing decision. *See Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987). We will not interfere with a sentence imposed by the district court that falls within the parameters of relevant sentencing statutes “[s]o long as the record does not demonstrate prejudice resulting from consideration of information or accusations founded on facts supported only by impalpable or highly suspect evidence.” *Silks v. State*, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976).

The district court listened to the arguments of the parties and reviewed Ortiz’s mitigation information. The district court subsequently

imposed a sentence of 24 to 60 months in prison, which is within the parameters provided by the relevant statutes. See NRS 193.130(2)(c); NRS 200.481(2). And Ortiz does not allege that the district court relied on palpable or highly suspect evidence. Moreover, Ortiz does not demonstrate that the district court erred by failing to articulate the basis for its sentencing decision. See *Campbell v. Eighth Judicial Dist. Court*, 114 Nev. 410, 414, 957 P.2d 1141, 1143 (1998) (holding that district courts are not required to articulate findings in support of the imposition of a particular sentence). Considering the record before this court, we conclude Ortiz fails to demonstrate the district court abused its discretion when imposing his sentence. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. David A. Hardy, District Judge
Washoe County Alternate Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk