


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

SALVATORE WILLIAM MIELE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83039-COA

FILED

FEB 09 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Salvatore William Miele appeals from a judgment of conviction, pursuant to a guilty plea, of coercion with physical force or immediate threat of physical force. Second Judicial District Court, Washoe County; David A. Hardy, Judge.

Miele claims the district court abused its discretion at sentencing by failing to consider the mitigating information that had already been considered by the prosecutor in reaching her charging 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). Generally, this court 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).

Miele’s sentence of 28 to 72 months in prison is within the parameters provided by the relevant statute. *See* NRS 207.190(2)(a). And Miele does not allege that the district court relied on impalpable or highly

suspect evidence. Having considered the sentence and the crime, we conclude the district court did not abuse its discretion in sentencing Miele. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

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