

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

GARRET JAMES REUBEN VIGIL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83551-COA

FILED

MAR 30 2022

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

ORDER OF AFFIRMANCE

Garret James Reuben Vigil appeals from a judgment of conviction entered pursuant to a guilty plea of attempted coercion with physical force or immediate threat of physical force and constituting domestic violence. Second Judicial District Court, Washoe County; Kathleen M. Drakulich, Judge.

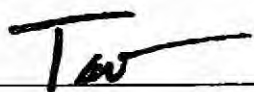
Vigil argues the district court abused its discretion by imposing a prison sentence instead of placing him on probation. Vigil asserts that his performance during pretrial release demonstrated that he was a good candidate for probation and he would not be a danger to others if he had been placed on probation.


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).

The district court listened to the arguments of the parties and Vigil's mitigation information. The district court noted that Vigil had been on pretrial release for a long time but that Vigil also had a lengthy criminal history. The district court subsequently imposed consecutive terms of 19 to 48 months in prison, which was within the parameters provided by the relevant statutes. See NRS 193.130(1)(c); NRS 193.330(1)(a)(3); NRS 207.190(2)(a). Vigil does not allege that the district court relied on impalpable or highly suspect evidence. Additionally, it was within the district court's discretion to decline to place Vigil on probation. See NRS 176A.100(1)(c). Having considered the sentence and the crime, we conclude the district court did not abuse its discretion by sentencing Vigil to serve a prison term. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Kathleen M. Drakulich, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk