

IN THE SUPREME COURT OF THE STATE OF NEVADA

DENNIS R. EDWARDS,

No. 37795

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

OCT 11 2001

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from an order of the district court revoking appellant's probation. Appellant was originally convicted, pursuant to a guilty plea, of one count of possession of a controlled substance with intent to sell. The district court sentenced appellant to a prison term of 14 to 40 months, suspended the sentence, and placed appellant on probation for a term not to exceed 3 years.

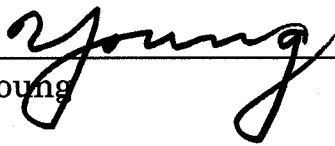
Shortly before his probation was to expire, the State filed a notice of intent to seek revocation. The State alleged that appellant had been arrested for failure to appear for a citation for possession of drug paraphernalia, that a criminal complaint was filed against appellant charging him with domestic battery, that appellant had failed to report to his probation officer on two occasions, and that appellant had an outstanding warrant stemming from an allegation of domestic violence. At the revocation hearing, appellant admitted that the allegations were all true, and the district court accepted appellant's stipulation as to those facts.

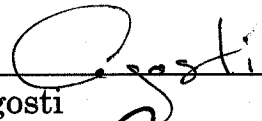
Appellant contends that the district court abused its discretion by revoking his probation. Specifically, appellant argues that the district court should not have accepted appellant's stipulation because there were no facts to underlie it. Appellant, however, cites no authority for the proposition that a stipulation to certain facts must be supported by evidence of those facts. Moreover, it is well established that a decision to revoke probation is within the broad discretion of the district court, and this court will not overturn such a decision absent a clear abuse of that


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discretion.¹ "The evidence and facts must reasonably satisfy the judge that the conduct of the probationer has not been as good as required by the conditions of probation."² This standard was clearly satisfied. Having considered appellant's contention and concluded it is without merit, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Young


_____, J.
Agosti


_____, J.
Leavitt

cc: Hon. Donald M. Mosley, District Judge
Clark County Public Defender
Attorney General
Clark County District Attorney
Clark County Clerk

¹Lewis v. State, 90 Nev. 436, 438, 529 P.2d 796, 797 (1974).

²Id.