

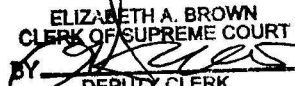
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ROBERTO MUNOZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

ROBERTO MUNOZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 84282 COA
FILED

JUN 29 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

No. 84283-COA

ORDER OF AFFIRMANCE

Roberto Munoz appeals from judgments of conviction entered pursuant to guilty pleas. In district court case no. CR21-3492 (Docket No. 84282), Munoz was convicted of grand larceny. In district court case no. CR21-3395 (Docket No. 84283), Munoz was convicted of two counts of grand larceny. These cases were consolidated on appeal. NRAP 3(b). Second Judicial District Court, Washoe County; David A. Hardy, Judge.


Munoz claims the district court abused its discretion by imposing consecutive prison sentences for all three grand larceny counts despite the parties' arguments for a lesser sentence. 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 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); see *Cameron v. State*, 114 Nev. 1281, 1283, 968 P.2d 1169, 1171 (1998).

Munoz was sentenced to 19 to 48 months in prison for each count, and these sentences are within the parameters provided by the relevant statutes. See NRS 193.130(2)(d); NRS 205.222(2)(a). Munoz does not allege that the district court relied on impalpable or highly suspect evidence. Further, the district court is not required to follow the sentencing recommendations of the parties. See, e.g., *Collins v. State*, 88 Nev. 168, 171, 494 P.2d 956, 957 (1972). Having considered the sentences and the crimes, we conclude the district court did not abuse its discretion in imposing Munoz’s sentences. Accordingly, we

ORDER the judgments 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