

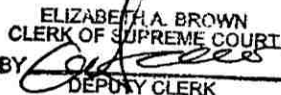
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ALAN SCOTT BONCIMINO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 84294-COA

FILED

JUL 08 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK


ORDER OF AFFIRMANCE

Alan Scott Boncimino appeals from an order for revocation of probation and second amended judgment of conviction. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

Boncimino claims his sentence of 12 to 36 months in prison constitutes cruel and unusual punishment. He does not challenge the revocation of his probation. The order for revocation of probation and second amended judgment of conviction merely reinstated the sentence that the district court imposed in its original judgment of conviction. Therefore, Boncimino's claim could have been raised in an appeal from the original judgment of conviction. His failure to raise it in an appeal from his original judgment of conviction waived this claim, and it is thus not properly raised in this appeal. *See Jackson v. State*, 133 Nev. 880, 882, 410 P.3d 1004, 1006 (Ct. App. 2017). Accordingly, we

ORDER the order for revocation of probation and second amended judgment of conviction AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Michelle Leavitt, District Judge  
Clark County Public Defender  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk