

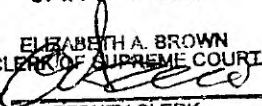
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

THOMAS SHANE ANSTEAD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 85384-COA

FILED

JAN 23 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Thomas Shane Anstead appeals from a judgment of conviction, entered pursuant to a guilty plea, of attempt to possess, receive, or transfer stolen vehicle. Second Judicial District Court, Washoe County; Barry L. Breslow, Judge.

Anstead argues the district court abused its discretion by declining to suspend his prison sentence and allow him the opportunity to complete a veterans court program as a condition of probation. Anstead also contends that comments made by the State and the district court demonstrate that the district court relied on “lines of reasoning” that were palpable and highly suspect.


The granting of probation or placement in a specialty court program is discretionary. *See* NRS 176A.100(1)(c); NRS 176A.400(2); *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 palpable

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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).

Anstead’s sentence of 19 to 48 months is within the parameters provided by the relevant statutes. See NRS 193.130(2)(d); NRS 193.153(1)(a)(4); NRS 205.273(3). In addition, the district court considered Anstead’s criminal history, including his previous removal from drug and mental health court programs, the arguments of the parties, and Anstead’s allocution prior to imposing Anstead’s sentence. Further, Anstead fails to identify any facts relied on by the district court that were supported only by impalpable or highly suspect evidence. Having considered the sentence and the crime, we conclude the district court did not abuse its discretion by declining to suspend the sentence and allow Anstead to complete a specialty court program as a condition of probation. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Barry L. Breslow, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk