

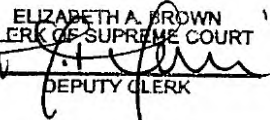
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

NATHAN MICHAEL NARCHO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 85324-COA

FILED

DEC 22 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Nathan Michael Narcho appeals from a judgment of conviction, entered pursuant to a guilty plea, of possession of a schedule I or II controlled substance, less than 14 grams, first or second offense. Second Judicial District Court, Washoe County; Kathleen M. Drakulich, Judge.

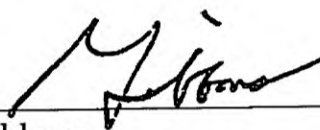
Narcho argues the district court abused its discretion at sentencing by imposing a sentence greater than the sentence argued for by the parties. Narcho also argues that his sentence is unsupported by the record and that the district court failed to impose an individualized sentence because it commented on Narcho's plea deal and compared it to similarly situated defendants.

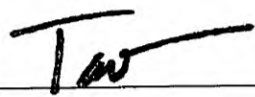
The district court has wide discretion in its sentencing decision. *See Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987). And the district court does not abuse its discretion by imposing a sentence in excess of a party's recommendation. *See Dunham v. State*, 134 Nev. 563, 569, 426 P.3d 11, 15 (2018). 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).

Narcho’s sentence of 19 to 48 months in prison is within the parameters provided by the relevant statutes. See NRS 193.130(2)(e); NRS 453.336(2)(a). The district court considered Narcho’s criminal history, his allocution, and the argument of the parties before imposing sentence. Narcho fails to demonstrate that his sentence is unsupported by the record or was not individualized to him. He also fails to demonstrate the district court relied on impalpable or highly suspect evidence. Having considered the sentence and the crime, we conclude the district court did not abuse its discretion in imposing Narcho’s sentence, and 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