

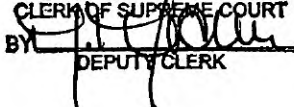
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CHRISTIAN WALKER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 87652-COA

**FILED**

JUL 03 2024

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Christian Walker appeals from a judgment of conviction, entered pursuant to a guilty plea, of fraudulent use of credit or debit card or identifying information on card with the intent to defraud. Second Judicial District Court, Washoe County; Scott N. Freeman, Judge.

Walker argues the district court relied on highly suspect or impalpable evidence at sentencing when it commented on Walker's lack of remorse and on Walker using the stolen credit card in a casino. "A district court is vested with wide discretion regarding sentencing, but this court will reverse a sentence if it is supported *solely* by impalpable and highly suspect evidence." *Denson v. State*, 112 Nev. 489, 492, 915 P.2d 284, 286 (1996); *see also Silks v. State*, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976) (recognizing the district court's wide discretion at sentencing and declining to interfere where the sentence was within the statutory limits and where there was "no proof of judicial reliance upon impalpable or highly suspect evidence" (internal quotation marks omitted)).

Here, Walker's sentence falls within the parameters provided by the relevant statute. *See* NRS 193.130(d); NRS 205.760(1). And the record shows that Walker made statements about committing the crimes

because he “need[ed] money so bad on that day” and he did not “know any differently.” From these statements, it was not an abuse of discretion for the district court to comment on Walker’s lack of remorse. As to the use of the stolen card, it is not clear from the record whether the district court incorrectly thought the card was used at a casino or correctly thought the card was stolen from a casino. But even assuming the district court was incorrect in this regard, the record shows the district court also remarked on Walker’s criminal history, which included five felony convictions, ten misdemeanor convictions, and numerous probation revocations, and his lack of remorse. Thus, Walker has not shown that his sentence is supported only by impalpable and highly suspect evidence.

Having considered the sentence and the crime, we conclude the district court did not abuse its discretion in sentencing Walker, and we

ORDER the judgment of conviction AFFIRMED.

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

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

  
\_\_\_\_\_, J.  
Westbrook

cc: Hon. Scott N. Freeman, District Judge  
Washoe County Public Defender  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk