

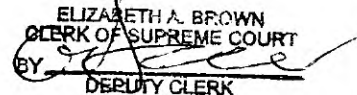
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

FORTINO SANCHEZ, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 87358-COA

FILED

JUL 26 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Fortino Sanchez, Jr., appeals from an amended judgment of conviction, entered pursuant to a guilty plea, of battery with use of a deadly weapon resulting in substantial bodily harm. Second Judicial District Court, Washoe County; David A. Hardy, Judge.


Sanchez argues the district court abused its discretion by relying on impalpable and highly suspect evidence at sentencing. Specifically, Sanchez contends the district court improperly relied on information about Greenville, California's lack of resources that was not contained in the record, including the judge's personal experiences with Greenville and information the judge obtained from an internet search.


Sanchez did not object to the district court's alleged errors below, and he does not argue on appeal that they constitute plain error. Specifically, he does not argue that the alleged errors are clear under current law from a casual inspection of the record, nor does he argue that those errors affected his substantial rights. *See Jeremias v. State*, 134 Nev. 46, 50, 412 P.3d 43, 48 (2018). We thus conclude he has forfeited these claims, and we decline to review them on appeal. *See Miller v. State*, 121 Nev. 92, 99, 110 P.3d 53, 58 (2005) (stating it is the appellant's burden to

demonstrate plain error); *see also State v. Eighth Jud. Dist. Ct. (Doane)*, 138 Nev., Adv. Op. 90, 521 P.3d 1215, 1221 (2022) (recognizing the Nevada appellate courts “follow the principle of party presentation” and thus “rely on the parties to frame the issues for decisions and assign to courts the role of neutral arbiter of matters the parties present” (quoting *Greenlaw v. United States*, 554 U.S. 237, 243 (2008))); *Senjab v. Alhulaibi*, 137 Nev. 632, 633-34, 497 P.3d 618, 619 (2021) (“We will not supply an argument on a party’s behalf but review only the issues the parties present.”). Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. David A. Hardy, District Judge
Mayhew Law PLLC
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk