

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RICHARD JOSHUA RAYOUNE
MIRANDA WEBBER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 86906-COA

FILED

AUG 27 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Richard Joshua Rayoune Miranda Webber appeals from a judgment of conviction, entered pursuant to a guilty plea, of two counts of attempted sexual assault. Second Judicial District Court, Washoe County; Scott N. Freeman, Judge.

Webber argues the district court abused its discretion by sentencing him to the maximum possible aggregate prison term in light of his mitigating evidence. The district court has wide discretion in its sentencing decision. *See Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987). 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).

The sentence imposed—two consecutive terms of 8 to 20 years in prison—is within the parameters provided by the relevant statutes. *See* NRS 193.153(1)(a)(1); NRS 200.366(2). And Webber does not allege that the

district court relied on impalpable or highly suspect evidence. Webber presented evidence that he had a traumatic childhood, had been the victim of sexual abuse, had substance abuse problems, was gainfully employed when not using illicit substances, had a family, had a negligible criminal history, and was not found to be a high risk to reoffend. However, the district court cited the egregious facts of the crimes as warranting the maximum possible aggregate sentence. For the crimes, Webber picked up two different women on two different occasions and forced them to have sex with him. He then abandoned them on the side of the road. Having considered the sentence and the crimes, we conclude the district court did not abuse its discretion in sentencing Webber. Accordingly, 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