

IN THE SUPREME COURT OF THE STATE OF NEVADA

LEAH HARRIS,

No. 38190

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

JAN 17 2002

JANETTE M. BLOOM
CLERK OF SUPREME COURT

BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of attempted forgery and one count of possession of a credit card without the cardholder's consent. The district court sentenced appellant to a prison term of 12 to 30 months for possession of a credit card, and to a concurrent prison term of 12 to 32 months for attempted forgery. The district court suspended the sentence for attempted forgery and placed appellant on probation for a period not to exceed 3 years. The district court further ordered appellant to pay restitution in the amount of \$6,535.98.

Appellant first contends that she was denied due process of law at sentencing. Specifically, appellant argues that the district court erroneously allowed a police officer to make a statement at sentencing

regarding his opinion as to how appellant should be sentenced. Appellant further argues that the district court then used unreliable information in deciding how to sentence appellant. We conclude that appellant's arguments are without merit.

"So 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, this court will refrain from interfering with the sentence imposed."¹

Even assuming that statements made by the prosecutor and the police officer were unreliable, appellant has not shown that the district court based the sentence solely on those statements, and appellant has therefore not shown that she was prejudiced by the statements. Accordingly, this court will not interfere with the sentence imposed.


Appellant also contends that she was denied the right to due process because the district court unreasonably delayed her sentencing. However, this court notes that the delay of which appellant complains was granted by the district court to allow appellant an opportunity to respond to the statements made by the prosecutor and police officer. We conclude

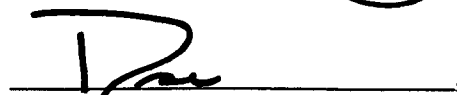
¹Silks v. State, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976).

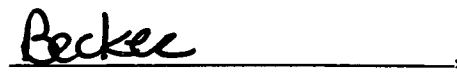
that the continuances granted by the district court were all reasonable, and that appellant's argument is therefore without merit.²

Having considered appellant's contentions and concluded that they are without merit, we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Shearing


_____, J.
Rose


_____, J.
Becker

cc: Hon. Mark W. Gibbons, District Judge
Attorney General/Carson City
Clark County District Attorney
Clark County Public Defender
Clark County Clerk

²See NRS 176.015(1) ("Sentence must be imposed without unreasonable delay.").