


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MICHAEL J. MCCORMICK,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 87686-COA

FILED

AUG 30 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

ORDER OF AFFIRMANCE

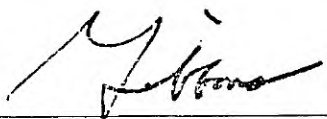
Michael J. McCormick appeals from a judgment of conviction, entered pursuant to a guilty plea, of possession of visual pornography of a person under age 16, first offense. Second Judicial District Court, Washoe County; Kathleen M. Drakulich, Judge.

McCormick argues the district court abused its discretion at sentencing by imposing a 24-to-60-month prison sentence without adequately considering the mitigating circumstances and without articulating the reasons for its sentencing decision. 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 is within the parameters provided by the relevant statute. *See* NRS 200.730(1). And McCormick does not allege that

the district court relied on impalpable or highly suspect evidence. At the sentencing hearing, McCormick argued and presented evidence in mitigation, and there is no indication the district court failed to consider these arguments or the mitigating evidence before it. Further, a district court is not required to articulate its reasons for imposing a particular sentence. *See Campbell v. Eighth Jud. Dist. Ct.*, 114 Nev. 410, 414, 957 P.2d 1141, 1143 (1998). Having considered the sentence and the crime, we conclude the district court did not abuse its discretion in sentencing McCormick. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Kathleen M. Drakulich, District Judge
Washoe County Alternate Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk