

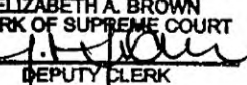
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

EDDIE BASILIO ALVAREZ,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 87543-COA

**FILED**

SEP 12 2024

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

*ORDER OF AFFIRMANCE*

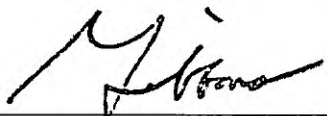
Eddie Basilio Alvarez appeals from a judgment of conviction, entered pursuant to a guilty plea, of buy, possess, receive, or withhold stolen property, value \$25,000 but less than \$100,000, and own or possess a firearm by a prohibited person. Second Judicial District Court, Washoe County; Scott N. Freeman, Judge.

Alvarez argues the district court abused its discretion at sentencing by not granting him probation and by running his sentences consecutively. Specifically, he argues the district court failed to consider his substance abuse evaluation and to provide insight for its sentencing determination. In this matter, the granting of probation was discretionary. *See* NRS 176A.100(1)(c); *Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987) (“The sentencing judge has wide discretion in imposing a sentence . . .”). 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). It is also within the district court's discretion to impose consecutive sentences. *See* NRS 176.035(1); *Pitmon v. State*, 131 Nev. 123, 128-29, 352 P.3d 655, 659 (Ct. App. 2015).

Alvarez's sentence of 28 to 72 months in prison with a consecutive 24 to 60 months in prison is within the parameters provided by the relevant statutes, *see* NRS 202.360(1); NRS 205.275(2)(d), and Alvarez does not allege that the district court relied on impalpable or highly suspect evidence. The district court heard the parties' arguments at sentencing, including information regarding Alvarez's substance abuse issues. Further, the district court stated it carefully reviewed the case. And, to the extent that Alvarez argues the district court should have articulated its sentencing reasoning, the district court was not required to do so. *See Campbell v. Eighth Jud. Dist. Ct.*, 114 Nev. 410, 414, 957 P.2d 1141, 1143 (1998). Considering the facts of the crimes and Alvarez's prior criminal history, we conclude the district court did not abuse its discretion by declining to suspend the sentence and place Alvarez on probation. Further, we conclude that the district court did not abuse its discretion by ordering the sentences to run consecutively. Accordingly, we

ORDER the judgment of conviction AFFIRMED.

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

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

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

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