

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN DREW JUDD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 38198

FILED

MAR 12 2002

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from an order of the district court revoking appellant's probation. Appellant was originally convicted, pursuant to a guilty plea, of one count of trafficking in a controlled substance. The district court sentenced appellant to a prison term of 24 to 84 months, and suspended the sentence, placing appellant on probation for an indeterminate period not to exceed 3 years.

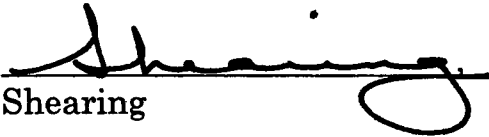
Appellant contends that the district court abused its discretion in revoking appellant's probation. Specifically, appellant argues that he should have been allowed more time to comply with the conditions of probation.

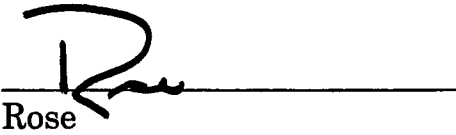
This court has held that in order to revoke probation, the district court must be reasonably satisfied by the evidence and facts "that the conduct of the probationer has not been as good as required by the conditions of probation."¹ In this case, appellant tested positive for the use of use controlled substances while on probation, and failed to attend outpatient and inpatient counseling. We conclude that the district court

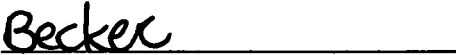
¹Lewis v. State, 90 Nev. 436, 438, 529 P.2d 796, 797 (1974).

did not abuse its discretion and appellant's contention is without merit.
Accordingly, we

ORDER the judgment of conviction AFFIRMED.

 J.
Shearing

 J.
Rose

 J.
Becker

cc: Hon. Steven R. Kosach, District Judge
Attorney General/Carson City
Washoe County District Attorney
Washoe County Public Defender
Washoe District Court Clerk