

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

STRAHD VINCENT HAMM-JORDAN  
A/K/A STRAHD VINCENT HAMM,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 87976-COA

**FILED**

OCT 31 2024

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

*ORDER OF AFFIRMANCE*

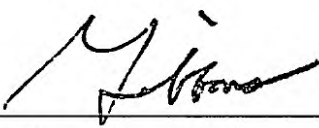
Strahd Vincent Hamm-Jordan appeals from a judgment of conviction, entered pursuant to a guilty plea, of residential burglary. Second Judicial District Court, Washoe County; Egan K. Walker, Judge.

Hamm-Jordan argues that his sentence of 24-60 months in prison is excessive and constitutes cruel and unusual punishment in violation of the U.S. and Nevada Constitutions. Regardless of its severity, “[a] sentence within the statutory limits is not ‘cruel and unusual punishment unless the statute fixing punishment is unconstitutional or the sentence is so unreasonably disproportionate to the offense as to shock the conscience.’” *Blume v. State*, 112 Nev. 472, 475, 915 P.2d 282, 284 (1996) (quoting *Culverson v. State*, 95 Nev. 433, 435, 596 P.2d 220, 221-22 (1979)); see also *Harmelin v. Michigan*, 501 U.S. 957, 1000-01 (1991) (plurality opinion) (explaining the Eighth Amendment does not require strict proportionality between crime and sentence; it forbids only an extreme sentence that is grossly disproportionate to the crime).

The sentence imposed is within the parameters provided by the relevant statute, see NRS 205.060(2)(d), and Hamm-Jordan does not allege that the statute is unconstitutional. He argues that his sentence is grossly

disproportional because it did not account for his mitigating circumstances: he had a limited and non-violent criminal history; he expressed remorse and accepted responsibility; and he had documented substance abuse issues. However, Hamm-Jordan argued these mitigating factors before the district court, and “[t]he sentencing judge has wide discretion in imposing a sentence.” *Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987). Having considered the sentence and the crime, we conclude that the sentence imposed is not grossly disproportional to the crime and does not constitute cruel and unusual punishment. Accordingly, we

ORDER the judgment of conviction AFFIRMED.

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

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

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

cc: Hon. Egan K. Walker, District Judge  
Oldenburg Law Office  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk