IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RAYMOND YOUNG,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 88949-COA

FILED

AUG 21 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY
DEPUTY CLERK

ORDER OF AFFIRMANCE

Raymond Young appeals from a judgment of conviction, entered pursuant a guilty plea, of one count of attempted sexual assault, two counts of robbery, three counts of second-degree kidnapping, one count of capturing an image of the private area of another person, and one count of open or gross lewdness. Eighth Judicial District Court, Clark County; Nadia Krall, Judge.

Young contends his sentence violates the Eighth Amendment's prohibition against cruel and unusual punishment. He asserts the aggregate sentence was too severe when considering his age at the time of the offense and lack of criminal history.

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

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(1998). 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 district court imposed a prison term of 8 to 20 years for attempted sexual assault, 4 to 10 years for each count of robbery and each count of second-degree kidnapping, and 364-day sentences for capturing an image of another's private area and open or gross lewdness. The district court imposed the sentences for one count of attempted sexual assault (Count 1) and two counts of robbery (Counts 2 and 3) consecutively to each other and imposed the remaining counts to run concurrently. The district court also imposed a special sentence of lifetime supervision and ordered Young to register as a sex offender following his release from custody. These sentences are within the parameters provided by the relevant statutes, *see* NRS 176.0931(1); NRS 179D.460; NRS 193.130; NRS 200.330; NRS 200.366(2)(b); NRS 200.380(2); NRS 200.604(3)(a); NRS 201.210(1)(a); 2013 Nev. Stat., ch. 229, § 3, at 977-78; *see also* NRS 176.035(1) (providing that district courts have discretion to run sentences consecutively or concurrently), and Young does not allege that those statutes are unconstitutional. He also does not allege the district court relied on impalpable or highly suspect evidence.

Young insists that the aggregate sentence of 16 to 40 years' imprisonment constitutes cruel and unusual punishment when considering his youth at the time of the offense and lack of prior criminal history. Although he was only 21 years old at the time of these offenses—his first—considering the number and severity of the charges as well as the facts before the court at sentencing, we conclude the sentences imposed are not grossly disproportionate to the crimes and do not constitute cruel and unusual punishment. Accordingly, we

ORDER the judgment of conviction AFFIRMED.

_____, C.J.
Bulla

_____, J.
Gibbons

_____, J.
Westbrook

cc: Hon. Nadia Krall, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk