

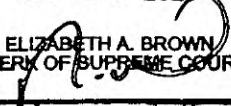
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TRAVON ANTHONY WATKINS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 90257-COA

FILED

SEP 29 2025

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

ORDER OF AFFIRMANCE

Travon Anthony Watkins appeals from a district court order revoking probation and amended judgment of conviction. Eighth Judicial District Court, Clark County; Erika D. Ballou, Judge.

Watkins received a suspended sentence of 100 to 252 months in prison and a five-year fixed term of probation after pleading guilty to conspiracy to commit burglary, burglary of a motor vehicle while in possession of a deadly weapon, and stop required on the signal of a police officer. As a special condition of probation, Watkins was required to enter and successfully complete the Opportunity for Probation with Enforcement in Nevada program (OPEN Program), a specialty court program offered by the Eighth Judicial District Court.

Watkins was terminated from the OPEN Program due to repeated compliance issues and his probation officer's discovery of a video Watkins sent his girlfriend of Watkins holding a rifle-style firearm. Watkins' defense against revocation of his probation was that the video the probation officer discovered was old and the firearm depicted in it was the firearm used in the underlying offenses. Watkins argued the district court should not revoke his probation because the State had not provided verified facts regarding when he possessed the firearm and because it would be

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unjust to impose the suspended sentence based on a video with no clearly established creation date. After a hearing, the district court revoked Watkins' probation and imposed the suspended sentence.

Watkins first argues the district court abused its discretion by relying on the conduct depicted in the video to revoke his probation because that conduct may have predated his probation. The record shows that the district court set Watkins for a revocation hearing because he had been terminated from the OPEN Program and that his termination from the program was the reason for Watkins' revocation. To the extent the district court commented on the behavior that resulted in Watkins' termination from the program, the district court made clear it was only concerned with the fact that Watkins sent the video while participating in the OPEN Program—a fact Watkins does not dispute—and not with the fact of when Watkins possessed the firearm. Based on the above, we discern no abuse of discretion by the district court in this regard.

Watkins next argues the district court abused its discretion by improperly relying on technical violations of probation as a basis for revocation rather than imposing graduated sanctions pursuant to NRS 176A.510. Watkins did not make this argument before the district court, and he therefore forfeited the right to assert it on appeal. *See Jeremias v. State*, 134 Nev. 46, 50, 412 P.3d 43, 48 (2018) (holding that the failure to preserve an error, even structural error, forfeits the right to raise the claim on appeal). It is within the court's discretion to correct a forfeited error. *Id.* at 52, 412 P.3d at 49.

Watkins does not address the plain error standard in his appellate briefing. Thus, he does not satisfy his burden of demonstrating that the alleged error was clear under current law from a casual inspection

of the record and that the error affected his substantial rights. *See State v. Eighth Jud. Dist. Ct. (Doane)*, 138 Nev. 896, 900, 521 P.3d 1215, 1221 (2022) (recognizing the Nevada appellate courts “follow the principle of party presentation” and thus “rely on the parties to frame the issues for decisions and assign to courts the role of neutral arbiter of matters the parties present” (quoting *Greenlaw v. United States*, 554 U.S. 237, 243 (2008))); *Senjab v. Alhulaibi*, 137 Nev. 632, 633-34, 497 P.3d 618, 619 (2021) (“We will not supply an argument on a party’s behalf but review only the issues the parties present.”).

Even if we were to consider Watkins’ forfeited claim for plain error, we conclude he is not entitled to relief. As noted above, Watkins’ termination from the OPEN Program was the reason for the revocation, and it is clear from the record that the court considered the termination from the program to be a nontechnical violation of probation. Indeed, the district court expressly stated at the beginning of the hearing that “this is not a technical [violation] because . . . the Specialty Court was considered as a condition of probation. So this is a non-technical [violation].” As NRS 176A.510(8)(c) provides that “termination from a specialty court program” is not a technical violation, Watkins has not demonstrated plain error. Accordingly, we

ORDER the order for revocation and amended judgment of conviction AFFIRMED.


Bulla, C.J.


Gibbons, J.


Westbrook, J.

cc: Hon. Erika D. Ballou, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk