

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JACOB GERALD PADEN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 91195-COA

**FILED**

**FEB 27 2026**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *Elizabeth A. Brown*  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Jacob Gerald Paden appeals from a district court order revoking probation. Fourth Judicial District Court, Elko County; Kriston N. Hill, Judge.

Paden argues the district court erred in revoking his probation. He contends the revocation occurred outside the bounds of law because his two-year term of supervision expired on July 7, 2025, and the violation hearing was held on July 22, 2025. Thus, he contends that, because his probation term expired and he did not qualify for honorable discharge, the district court should have dishonorably discharged him. Paden also asserts that he was in communication with the Nevada supervision team throughout his probation, even at the time when he was facing charges in Montana from May 2024 until February 2025. However, he contends that the supervision team waited to file the non-technical report until May 23, 2025, which was well after he had been sentenced for the Montana offenses. Paden further argues he is the provider for his family, he was accepted into a treatment program for alcohol and substance abuse, and several

difficulties he faced during his probation period stemmed from family-related problems.


We conclude that Paden has failed to demonstrate the district court abused its discretion in revoking probation. *See Lewis v. State*, 90 Nev. 436, 438, 529 P.2d 796, 797 (1974) (providing that revocation of probation is within “the trial court’s broad discretionary power and such an action will not be disturbed in the absence of a clear showing of abuse of that discretion”). Paden does not assert that the decision to revoke probation was not supported by evidence sufficient to reasonably satisfy the district court that Paden’s conduct was not as good as required by the conditions of probation. *See id.*

In addition, Paden relies on NRS 176A.850(2), which provides that an individual whose term of probation expired and “[w]ho has otherwise failed to qualify for an honorable discharge” must be dishonorably discharged from probation. Although Paden’s probation term could not exceed two years for a category C felony conviction, NRS 176A.500(1)(c), because the district court issued a warrant for violating the conditions of probation during his probation, the time during which the warrant was in effect “is not part of the period of probation,” NRS 176A.500(3); *see Sherman v. Warden*, 94 Nev. 412, 414, 581 P.2d 1278, 1279 (1978) (recognizing that the district court is not deprived “of jurisdiction over a probation revocation proceeding merely because the final revocation occurs after the probation term has expired”). Thus, Paden’s period of probation—although slated to end on July 7, 2025—was tolled from May 27, 2025, when the district court issued a warrant based on the violation report. Lastly, Paden’s argument

for dishonorable discharge was legally incorrect as NRS 176A.630 does not set forth dishonorable discharge as a possible district court action for violating a condition of probation. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

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

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

cc: Hon. Kriston N. Hill, District Judge  
Elko County Public Defender  
Attorney General/Carson City  
Elko County District Attorney  
Elko County Clerk