

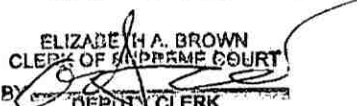
IN THE SUPREME COURT OF THE STATE OF NEVADA

ARION HARVEY-HAWTHORNE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 88323

FILED

APR 11 2026

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of voluntary manslaughter with the use of a deadly weapon. Eighth Judicial District Court, Clark County; Jacqueline M. Bluth, Judge. The district court imposed a sentence of 4 to 10 years' imprisonment.

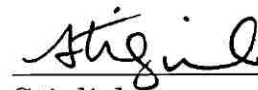
Appellant Arion Harvey-Hawthorne argues the district court erred in refusing to consider probation. This court will refrain from interfering with the sentence imposed "[s]o long as the record does not demonstrate prejudice resulting from consideration of information or accusations founded on facts supported only by impalpable or highly suspect evidence." *Silks v. State*, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976); see *Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987) ("The sentencing judge has wide discretion in imposing a sentence . . .").

Harvey-Hawthorne contends that the district court categorically refused to consider probation for the offense of voluntary manslaughter because a loss of life occurred. Harvey-Hawthorne argues that this was error because the offense of voluntary manslaughter is probationable. See NRS 176A.100(1)(c). The record demonstrates that the

district court considered probation and found it inadvisable based on the facts of the case. And we are not convinced that the district court's decision was based on a categorical refusal to grant probation for any homicide offense. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Bell


_____, J.
Stiglich


_____, J.
Cadish

cc: Hon. Jacqueline M. Bluth, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk