



IN THE COURT OF APPEALS OF THE STATE OF NEVADA

WILLIAM HAROLD JONES, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 91707-COA

ORDER OF AFFIRMANCE

William Harold Jones, Jr., appeals from a judgment of conviction, entered pursuant to a guilty plea, of attempted coercion with physical force or the immediate threat of physical force, and misdemeanor domestic battery. Second Judicial District Court, Washoe County; Hon. Kathleen A. Sigurdson, Judge.

Jones contends the district court abused its discretion by sentencing him to a term of imprisonment based on his arrest on new criminal charges. Specifically, Jones argues the district court violated his constitutional rights to due process, a fair trial, and equal protection when it sentenced him because it relied on the fact that Jones had been arrested in connection with at least two different criminal matters after entering his guilty plea.

The district court has wide discretion in its sentencing decision. *See Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987). “This discretion enables the sentencing judge to consider a wide, largely unlimited variety of information to insure that the punishment fits not only the crime, but also the individual defendant.” *Martinez v. State*, 114 Nev. 735, 738, 961 P.2d 143, 145 (1998). 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 (1998).

After entering his guilty plea, Jones was arrested in connection with two different criminal matters; one matter was dismissed prior to a preliminary hearing, while the other was set for trial after sentencing in the instant case.¹ At the sentencing hearing, the State contended it was not bound by the parties’ prior plea negotiations in light of Jones’ recent arrests, and Jones did not object. The State then requested the district court impose a prison sentence of 24 to 60 months. The district court noted that, while it would have been inclined to follow the parties’ agreement to recommend probation on the attempted coercion count and two days’ imprisonment on the domestic battery count, it was concerned about Jones’ “problems” in getting to the sentencing hearing, as the hearing had been continued several times due to his new criminal matters.

¹Although the record on appeal is unclear, it appears Jones may have been arrested one additional time for possession of drug paraphernalia while awaiting sentencing in this matter.

The district court also noted its concerns with Jones' criminal history, including his history of domestic violence.² Notably, the district court did not reference the nature of either the new criminal matter that was pending trial or the new criminal matter that had been dismissed. The district court then sentenced Jones to 180 days' imprisonment in jail on the domestic battery conviction and a consecutive prison term of 19 to 48 months on the attempted coercion conviction.

Even assuming the district court had considered the pending or dismissed charges in sentencing Jones, "[o]ther criminal conduct may properly be considered at the sentencing hearing, even though the defendant was never charged or convicted of it." *Sheriff v. Morfin*, 107 Nev. 557, 560, 816 P.2d 453, 455 (1991). And while a sentencing court may not punish a defendant for those crimes, it may consider them "for the purpose of gaining a fuller assessment of the defendant's life, health, habits, conduct, and mental and moral propensities." *Denson v. State*, 112 Nev. 489, 494, 915 P.2d 284, 287 (1996) (internal quotation marks omitted). Accordingly, we conclude that to the extent the district court considered Jones' dismissed or pending charges, Jones has not shown in this case that such consideration was an abuse of discretion or that it violated his constitutional rights to due process, a fair trial, or equal protection.

In light of the foregoing, we conclude Jones has not demonstrated the district court's consideration of the evidence or

²Jones' May 13, 2025, presentence investigation report indicates Jones was previously convicted of felony infliction of corporal injury on a spouse or cohabitant in California.

accusations was founded on facts supported by only impalpable or highly suspect evidence, or that prejudice resulted therefrom. The sentence imposed is within the parameters provided by the relevant statutes. *See* NRS 193.130(2)(c), NRS 193.153(1)(a)(3), NRS 200.485(1)(a), NRS 207.190(2)(a). Having considered the sentence and the crime, we conclude the district court did not abuse its discretion in sentencing Jones. Accordingly, we

ORDER the judgment of conviction AFFIRMED.



Bulla, C.J.



Gibbons, J.



Westbrook, J.

cc: Hon. Kathleen A. Sigurdson, District Judge
Attorney General/Carson City
Washoe County Alternate Public Defender
Washoe County District Attorney
Second District Court Clerk