FILED
10/26/2026
ELIZABETH A. BROWN
CLERK OF SUPREME COURT

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

EDWIN NORMAN Z. REEVES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 92169-COA

ORDER OF AFFIRMANCE

Edwin Norman Z. Reeves appeals from a judgment of conviction, entered pursuant to a guilty plea, of attempt to use or permit a minor, age 14 or older, to be subject of sexual portrayal in a performance. Second Judicial District Court, Washoe County; Hon. Lynne K. Jones, Judge.

Reeves argues the district court abused its discretion and violated the prohibition against cruel and unusual punishment when it denied his request for probation and imposed a 28-to-72-month prison sentence. In support of this argument, he points to the mitigating evidence he presented, including his advanced age and health issues; his military history and service as a firefighter on September 11, 2001; his sobriety and stability in the community; his lack of recent or sexually related criminal history; his traumatic childhood; and his psychosexual risk assessment, in which it was concluded he does not possess a high risk of re-offense. He contends the district court sentenced him for his stale criminal history and without giving due consideration to his serious health concerns.

Here, the granting of probation was discretionary. *See* NRS 176A.100(1)(c). And 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 (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).

Reeves' sentence is within the parameters provided by the relevant statutes, *see* NRS 193.153(1)(a)(1); NRS 200.710(2), and he does not allege that those statutes are unconstitutional. Reeves also does not allege the district court relied on impalpable or highly suspect evidence. Before imposing sentence, the district court listened to the parties' argument, including Reeves' argument in mitigation, and Reeves' allocution. In addition, the district court stated it had carefully reviewed and looked for mitigating circumstances in the presentence investigation report, the psychosexual risk assessment, and the letter filed in support of Reeves. The district court also acknowledged Reeves' service to his country. We have considered the sentence and the crime, and we conclude the sentence imposed is not grossly disproportionate to the crime, it

does not constitute cruel and unusual punishment, and the district court did not abuse its discretion when imposing sentence. Therefore, we

ORDER the judgment of conviction AFFIRMED.

Bulla, C.J.

Gibbons, J.

Westbrook, J.

cc: Hon. Lynne K. Jones, District Judge
Attorney General/Carson City
Washoe County District Attorney
Washoe County Public Defender
Second District Court Clerk