

IN THE SUPREME COURT OF THE STATE OF NEVADA


CAMERON THOREVOLD WOLTEN,
Appellant,
Vs.
THE STATE OF NEVADA,
Respondent.

No. 38731

FILED

FEB 12 2002

ORDER OF AFFIRMANCE

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

This is an appeal from an order of the district court revoking appellant Cameron Wolten's probation. Wolten was convicted, pursuant to a guilty plea, of failure to register as a sex offender, a felony. The district court sentenced Wolten to serve a term of twelve to thirty-four months in the Nevada State Prison. The district court then suspended execution of Wolten's sentence and placed him on probation for a period not to exceed three years.

Wolten stipulated to the revocation of his probation. By so stipulating, Wolten admitted that he had committed the parole violations reported by the Division of Parole & Probation (P & P). Specifically, Wolten admitted that he had left Nevada without permission, that the results of his drug test showed methamphetamine, marijuana, and cocaine in his system, and that he had not provided truthful information to P & P about his places of work and residence. After conducting a hearing and explaining to Wolten the consequences of his stipulation, the district court

revoked Wolten's probation in an order dated October 11, 2001.¹ This appeal followed.

Wolten contends that the district court abused its discretion in revoking his probation because the district court did not properly consider all of the information relevant to his case which could have been presented by P & P. Wolten further argues that the district court should have rejected his offered stipulation or dishonorably discharged him from probation in order to keep him out of the overcrowded prison system.

The decision to revoke probation is within the broad discretion of the district court, and will not be disturbed absent a clear showing of abuse.² Evidence supporting a decision to revoke probation must merely be sufficient to reasonably satisfy the district court that the conduct of the probationer was not as good as required by the conditions of probation.³

In this case, we conclude that the district court did not err in finding that Wolten's conduct was not as good as required. Specifically, P & P offered evidence to the district court to support its motion for revocation of Wolten's probation. Instead of contesting the revocation, Wolten admitted the parole violations by way of a stipulation agreement and acknowledged these admissions verbally before the district court. Contrary to Wolten's assertion, it was not necessary for the district court to consider all of the information relevant to his case which could have been presented by P & P when Wolten admitted that he had violated the

¹The district court issued an amended order revoking probation on October 15, 2001, to correct an error regarding time served.

²Lewis v. State, 90 Nev. 436, 529 P.2d 796 (1974).

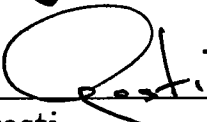
³Id.


conditions of his probation. We conclude that the district court acted within its discretion in accepting the stipulation and revoking Wolten's probation.

Having considered Wolten's contention and concluded that it lacks merit, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Young


_____, J.
Agosti


_____, J.
Leavitt

cc: Hon. Jerome Polaha, District Judge
Attorney General/Carson City
Washoe County District Attorney
Washoe County Public Defender
Washoe District Court Clerk