

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT A. SCHIELD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 39414

FILED

JUN 26 2002

ORDER OF AFFIRMANCE

CHRISTIE A. BLOOM
CLERK OF SUPREME COURT
BY *Richard*
CHIEF DEPUTY CLERK

This is an appeal from a district court order revoking appellant Robert A. Schield's probation.

On July 17, 2001, Schield was convicted, pursuant to a guilty plea, of one count of being an ex-felon in possession of a firearm. The district court sentenced Schield to serve a prison term of 18 to 55 months, and then suspended execution of the sentence, and placed Schield on probation for a period not to exceed 36 months.

On March 1, 2002, the Division of Parole and Probation filed a violation report against Schield. The Division alleged that Schield violated his probation by becoming "grossly intoxicated" and getting expelled from the residential alcohol treatment program he was enrolled in. After conducting a revocation hearing, and considering both arguments from counsel and Schield's statement expressing remorse, the district court revoked Schield's probation.

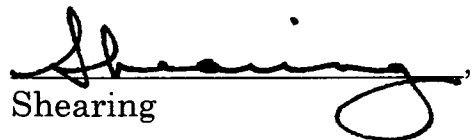
Schild contends that the district court abused its discretion in revoking his probation because it failed to consider other reasonable alternatives, such as dishonorable discharge or house arrest. Schild claims that the district court's ruling was overly harsh in light of the fact that he is an alcoholic who has maintained his sobriety for several months,

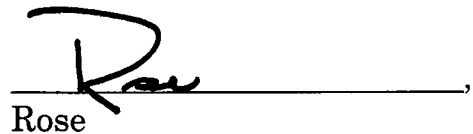
indicating that he is amenable to supervision. We conclude that the district court did not abuse its discretion in revoking Schield's probation.

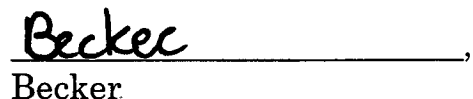
The decision to revoke probation is within the broad discretion of the district court, and will not be disturbed absent a clear showing of abuse.¹ Evidence supporting a decision to revoke probation must merely be sufficient to reasonably satisfy the district court that the conduct of the probationer was not as good as required by the conditions of probation.² Here, the record reveals that Schield's conduct was not as good as required by the conditions of probation because he drank alcohol and became intoxicated. Accordingly, the district court did not abuse its discretion in revoking his probation.

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

ORDER the judgment of the district court AFFIRMED.

 _____, J.
Shearing

 _____, J.
Rose

 _____, J.
Becker

¹Lewis v. State, 90 Nev. 436, 529 P.2d 796 (1974).

²Id.

cc: Hon. Steven P. Elliott, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk