

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROGER WILLIAM HULL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43771

FILED

DEC 02 2004

ORDER OF AFFIRMANCE

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK

This is a proper person appeal from an order of the district court denying a motion to modify the judgment of conviction. Second Judicial District Court, Washoe County; Janet J. Berry, Judge.

On April 26, 2001, the district court convicted appellant, pursuant to a jury verdict, of one count of lewdness with a child under the age of fourteen years and one count of sexual assault on a minor victim. The district court sentenced appellant to serve two consecutive terms of life in the Nevada State Prison with the possibility of parole and imposed a special sentence of lifetime supervision. The district court further ordered that appellant was to have no contact with any female children under the age of eighteen. This court affirmed appellant's judgment of conviction on appeal.¹

On December 30, 2003, appellant filed a proper person motion to modify the judgment of conviction. On September 10, 2004, the district court denied the motion. This appeal followed.

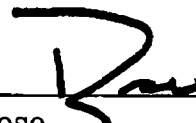
¹Hull v. State, Docket No. 37953 (Order of Affirmance, January 31, 2003).

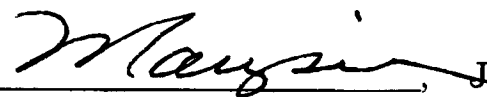
In his motion, appellant requested that the no contact order be lifted because it adversely affected his ability to visit with his daughters and other minor female family members. In support of his motion, appellant attached copies of letters submitted by his wife and two minor daughters.

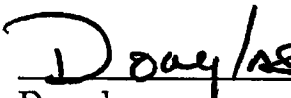
The district court denied the motion on the ground that there was insufficient cause to modify his sentence to allow visitation of his minor daughters and minor female family members. Having reviewed the record on appeal, we conclude that the district court did not err in denying appellant's motion. We note that appellant's claim fell outside the narrow scope of claims permitted in a motion to modify a sentence.²

Having reviewed the record on appeal and for the reasons set forth above, we conclude that appellant is not entitled to relief and that briefing and oral argument are unwarranted.³ Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Rose


_____, J.
Maupin


_____, J.
Douglas

²See Edwards v. State, 112 Nev. 704, 918 P.2d 321 (1996).

³See Luckett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

cc: Hon. Janet J. Berry, District Judge
Roger William Hull
Attorney General Brian Sandoval/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk