

IN THE SUPREME COURT OF THE STATE OF NEVADA

RAHEEM DEMAR TAYLOR,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 46703

**FILED**

**JAN 10 2007**

ORDER DISMISSING APPEAL

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF DEPUTY CLERK

This is an appeal from an amended judgment of conviction. Eighth Judicial District Court, Clark County; Jackie Glass, Judge.

Appellant Raheem Demar Taylor was originally convicted, pursuant to a jury verdict, of one count of assault with the use of a deadly weapon, one count of discharging a firearm at or into a structure, vehicle, aircraft or watercraft, and one count of possession of a firearm by an ex-felon. At sentencing, the district court granted Taylor 80 days credit for time served. The judgment of conviction was entered on June 1, 2005. No appeal was taken from the judgment of conviction.

Subsequent to the entry of the judgment of conviction, Taylor moved to correct the judgment, requesting 78 days of credit rather than the 80 days previously granted. The district court granted the motion and entered the amended judgment of conviction on January 11, 2006. Taylor's counsel filed a timely notice of appeal from the amended judgment of conviction.

This court's review of this appeal revealed a potential jurisdictional defect. Specifically, the amendment to the judgment of conviction merely granted Taylor's motion to reduce the credits for time served from 80 to 78. Because the district court granted Taylor's motion, it did not appear that Taylor was an aggrieved party who could appeal from the amended judgment.<sup>1</sup>

On December 1, 2006, this court ordered appellant's counsel to show cause why this appeal should not be dismissed for lack of jurisdiction. On December 8, 2006, counsel filed a response. In the response, counsel informs this court that Taylor does not challenge the district court's decision relative to the issue of credit for time served. Rather, Taylor wishes to raise issues relating to his trial and conviction. Those issues, however, are direct appeal issues, which were waived by Taylor's failure to file a timely direct appeal from the original judgment of conviction.<sup>2</sup>

The only issues that may be raised in the instant appeal relate to the district court's order granting the motion to modify Taylor's


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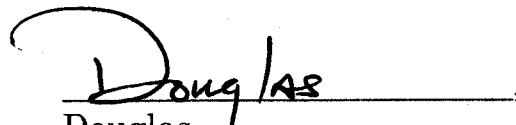
<sup>1</sup>See generally NRS 177.015 (setting forth the orders from which a "party aggrieved in a criminal action may appeal").

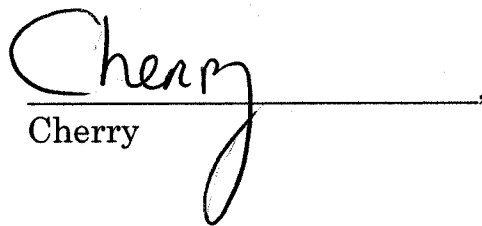
<sup>2</sup>Franklin v. State, 110 Nev. 750, 752, 877 P.2d 1058, 1059 (1994) overruled on other grounds by Thomas v. State, 115 Nev. 148, 979 P.2d 222 (1999).

sentence. As to that order, Taylor is not an aggrieved party and this court therefore lacks jurisdiction to entertain this appeal. We therefore

ORDER this appeal DISMISSED.

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Cherry

cc: Hon. Jackie Glass, District Judge  
Clark County Public Defender Philip J. Kohn  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk  
Raheem Demar Taylor