

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 53003

FILED

FEB 04 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

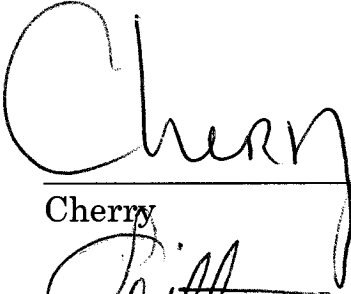


This is a proper person appeal from an order of the district court granting appellant's April 9, 2008, motion to correct an illegal sentence and granting in part and denying in part his October 21, 2008, motion to correct an illegal sentence.¹ Second Judicial District Court, Washoe County; Janet J. Berry, Judge.

Appellant's argument regarding the authority of the Division of Parole and Probation to impose specific conditions of parole was outside the scope of a motion to correct an illegal sentence as it failed to challenge the facial legality of the sentence imposed. See Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Appellant's argument that NRS 176.105 divests a district court of jurisdiction to impose lifetime supervision, administrative assessments, genetic marker testing fees and psychosexual evaluation fees was without merit as it would have

¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

impermissibly rendered nugatory language in NRS 176.0931(1), 176.062(1), NRS 176.0915(1) and NRS 176.139(7). See Gaines v. State, 116 Nev. 359, 365, 998 P.2d 166, 169-70 (2000). For the above reasons, we conclude the district court did not err in denying appellant's motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED. ²


_____, J.
Cherry

_____, J.
Saitta

_____, J.
Gibbons

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

²We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.