

IN THE SUPREME COURT OF THE STATE OF NEVADA

ARTHUR LOUIS DANIELS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 53049

FILED

FEB 04 2010

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

ORDER OF AFFIRMANCE

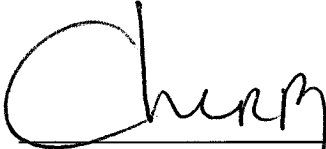


This is a proper person appeal from an order of the district court denying appellant's October 17, 2008, motion to amend judgment of conviction.¹ Second Judicial District Court, Washoe County; Robert H. Perry, Judge.

Appellant's motion, construed by the district court as a motion to correct an illegal sentence, did not challenge the validity of the sentence but rather requested that it be run concurrent to an existing sentence rather than consecutive. Appellant's motion was outside the scope of both a motion to modify sentence and a motion to correct an illegal sentence. See Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). For

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

these reasons, we conclude the district court did not err in denying appellant's motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


Cherry, J.

Saitta, J.

Gibbons, J.

cc: Hon. Robert H. Perry, District Judge
Arthur Louis Daniels
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk