

IN THE SUPREME COURT OF THE STATE OF NEVADA

ERIC ANTONIO FLEMING,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 53268

**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 January 7, 2009, motion to correct an illegal sentence.<sup>1</sup> Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.


Appellant's claims that the imposition of deadly weapon enhancements violated his rights under the 5th, 6th and 14th Amendments are outside the scope of a motion to correct an illegal sentence: He failed to demonstrate that his sentence was facially illegal or that the district court was not a competent court of jurisdiction. See Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). For the


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<sup>1</sup>This 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).

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.<sup>2</sup>

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

  
\_\_\_\_\_, J.  
Saitta

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

cc: Hon. Donald M. Mosley, District Judge  
Eric Antonio Fleming  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>2</sup>We 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.