

IN THE SUPREME COURT OF THE STATE OF NEVADA

CALVIN DEMETRIUS WALKER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 53296

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 20, 2009, motion to correct illegal sentence.¹ Eighth Judicial District Court, Clark County; Douglas W. Herndon, Judge.


Appellant's claims (a) that his conviction violated the Double Jeopardy Clause and (b) that one count in the information was fatally defective fell outside the scope of claims permissible in 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). Further, the record on appeal belies appellant's claim that the State never filed a notice of intent to seek punishment as habitual criminal. See Hargrove v. State, 100 Nev. 498, 503, 686 P.2d 222, 225

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).

(1984). For the foregoing reasons, we conclude the district court did not err in denying appellant's motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Douglas W. Herndon, District Judge
Calvin Demetrius Walker
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk