

IN THE SUPREME COURT OF THE STATE OF NEVADA

TERRANCE TERRALL HAWKINS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 53864

FILED

JAN 08 2010

JACIE K. LINDEMAN
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order denying a motion to modify an illegal sentence. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.

Our review of the record on appeal reveals that the district court did not err in denying the motion. Appellant's claim fell outside the very narrow scope of claims permissible in a motion to correct or modify sentence. Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Appellant's sentence was facially legal, NRS 453.3385(2), and appellant failed to demonstrate that the district court was not a court of competent jurisdiction. Id. Notably, appellant entered a guilty plea to two counts of trafficking in a controlled substance. Appellant's reliance upon a mistake in the presentence investigation report that only set forth one count is misplaced.

Having reviewed the record on appeal and for the reasons set forth above, we conclude that appellant is not entitled to relief and that

briefing and oral argument are unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975). Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Hon. Connie J. Steinheimer, District Judge
Terrance Terrall Hawkins
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

¹We 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.