

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVE COLEMAN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54078

FILED

JAN 08 2010

TRACEE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying a motion for sentence modification. Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge.

Appellant failed to demonstrate that his sentence was based on a mistaken assumption about his criminal record that worked to his extreme detriment. Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). The district court imposed the sentence agreed upon by the parties pursuant to the negotiations. Appellant may not challenge the validity of his guilty plea or assert a claim of innocence in a motion for sentence modification. The district court therefore did not err in denying appellant's motion.

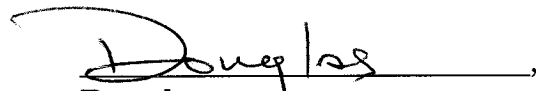
Having reviewed the record on appeal and for the reasons set forth above, we conclude that appellant is not entitled to relief and that

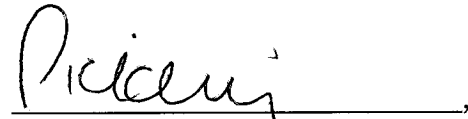
10-00677

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

 _____, J.
Hardesty

 _____, J.
Douglas

 _____, J.
Pickering

cc: Hon. Elissa F. Cadish, District Judge
Steve Coleman
Attorney General/Carson City
Clark County District Attorney
Eighth 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.