

IN THE SUPREME COURT OF THE STATE OF NEVADA

CARLTON DEWAYNE LIVINGSTON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54094

FILED

FEB 04 2010

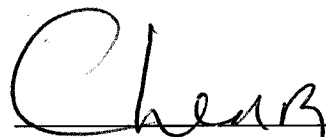
TRACIE A. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK


ORDER OF AFFIRMANCE

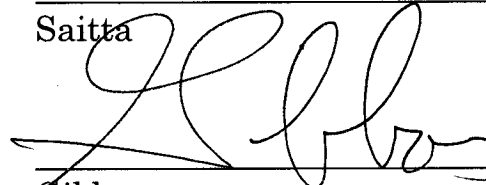
This is a proper person appeal from an order of the district court denying the motion for sentence modification filed on April 23, 2009. Eighth Judicial District Court, Clark County; Kathy A. Hardcastle, Judge.

Appellant's claims regarding his status as a model prisoner and his family's financial difficulties failed to implicate a material mistake about appellant's criminal record that worked to his extreme detriment. Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Therefore, the district court did not err in denying the motion, and we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Kathy A. Hardcastle, District Judge
Carlton Dewayne Livingston
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk