

IN THE SUPREME COURT OF THE STATE OF NEVADA

JIMMIE DERELL COOPER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54207

FILED

JAN 08 2010

TRACIE 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 motion to modify an illegal sentence. Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge.

Appellant's claim fell outside the scope of a motion to correct or modify a sentence. Edwards v. State, 112 Nev. 704, 918 P.2d 321 (1996). Appellant failed to demonstrate that his sentence was based on a mistaken assumption about his criminal record which worked to his extreme detriment, that his sentence was facially illegal, or that the district court was not a competent court of jurisdiction. Id. at 708, 918 P.2d at 324. The record on appeal belies appellant's claim that the district court was not provided with copies of the prior convictions at the time of sentencing. Hargrove v. State, 100 Nev. 498, 686 P.2d 222 (1984).

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. Elissa F. Cadish, District Judge
Jimmie Derell Cooper
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.