

IN THE SUPREME COURT OF THE STATE OF NEVADA

DONNELL WASHINGTON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 54656

**FILED**

**JUN 09 2010**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order denying appellant Donnell Washington's motion to correct an illegal sentence.<sup>1</sup> Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge.

Washington contends that the district court erred by denying his motion to correct illegal sentence. Washington did not argue that the special sentence of lifetime supervision was improperly imposed; rather, he challenged the conditions of lifetime supervision, arguing that they violate the Ex Post Facto Clause, the Double Jeopardy Clause, and the Contracts Clause of the Nevada and United States Constitutions, as well as due process and the "prohibition against vague and ambiguous laws under the U.S. Constitution."

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<sup>1</sup>Although the challenged order denied Washington's "Motion to Strike Lifetime Supervision Requirements," Washington informed the district court during the hearing that it was "a motion basically to correct an illegal sentence." In addition, on appeal, both Washington and the State characterize the motion as a motion to correct illegal sentence. We therefore address the motion as a motion to correct illegal sentence.

We conclude that the district court did not err in denying Washington's motion to correct illegal sentence because Washington's claim fell outside the narrow scope of claims permitted in a motion to correct an illegal sentence. See Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996) (explaining that a motion to correct an illegal sentence may only challenge the facial legality of the sentence—either the district court was without jurisdiction to impose a sentence or the sentence was imposed in excess of the statutory maximum). To the extent the motion was a motion to strike lifetime supervision requirements, no statute or court rule permits an appeal from such an order and we therefore lack jurisdiction to consider the denial of that motion on appeal. Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Cherry, J.  
Cherry

Saitta, J.  
Saitta

Gibbons, J.  
Gibbons

cc: Hon. Elissa F. Cadish, District Judge  
Robert M. Draskovich, Chtd.  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk