

IN THE SUPREME COURT OF THE STATE OF NEVADA

SAMUEL NATHAN CROWE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55179

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 Samuel Nathan Crowe's motion to strike lifetime supervision requirements/motion to correct illegal sentence. Eighth Judicial District Court, Clark County; Douglas W. Herndon, Judge.

Crowe contends that the district court erred by denying his motion to correct illegal sentence. Crowe 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."

We conclude that the district court did not err in denying Crowe's motion to correct illegal sentence because Crowe'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. Douglas W. Herndon, District Judge
Robert M. Draskovich, Chtd.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk