

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL T. SILL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55366

FILED

JUN 09 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *H. Ingsall*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order denying appellant Michael T. Sill's motion to reconsider or modify sentence. Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.

Sill claims that the district court abused its discretion and reconsideration and modification of his sentence is warranted because the victim was not informed of the time for sentencing and did not speak at sentencing. See NRS 176.015(3) and (4) (rights of victim at sentencing hearing and notice of hearing). Sill's claim fell outside the narrow scope of claims permissible in a motion to modify sentence. See Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Therefore, the district court did not abuse its discretion by denying the motion to modify sentence. To the extent Sill challenges the denial of his request to reconsider his sentence, such an order is not substantively appealable, and therefore we lack jurisdiction to consider this claim. See NRS 177.015; Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990) (right to appeal is

statutory; where no statute or court rule provides for an appeal, no right to appeal exists). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

cc: Hon. Linda Marie Bell, District Judge
Robert M. Draskovich, Chtd.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk