

IN THE SUPREME COURT OF THE STATE OF NEVADA

RAUL CARDONA A/K/A RAUL  
CARDONA, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 55711

**FILED**

NOV 05 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 a motion to have a new presentence investigation report prepared and to modify/reconsider sentence. Eighth Judicial District Court, Clark County; Kathy A. Hardcastle, Judge.

Appellant Raul Cardona contends that the district court erred by denying his motion to have a new presentence investigation report prepared and to modify/reconsider his sentence because the presentence investigation report used at sentencing inaccurately presented his criminal history.

No statute or court rule authorizes an appeal from an order denying a motion to have a new presentence investigation report prepared or denying a motion to reconsider a sentence. Accordingly, we lack jurisdiction to consider Cardona's challenges to those portions of the district court's order. See Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Insofar as the motion was to modify a sentence, we conclude that the district court did not err in denying the motion because Cardona failed to demonstrate that the district court relied upon material

mistakes about his criminal record that worked to his extreme detriment.  
See Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996).

Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Hardesty, J.  
Hardesty

Douglas, J.  
Douglas

Pickering, J.  
Pickering

cc: Hon. Kathy A. Harcastle, District Judge  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk  
James Ruggeroli