

IN THE SUPREME COURT OF THE STATE OF NEVADA

SCOTT P. WILSON, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55738

FILED

SEP 10 2010

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

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying appellant's "motion to correct or modify a sentence." Eighth Judicial District Court, Clark County; Jennifer Togliatti, Judge.¹

In his motion, filed on March 5, 2010, appellant claimed that the State breached the plea agreement, and that his sentence was extreme. Appellant failed to demonstrate that the district court relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment. See Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Appellant's claim was outside the scope of a motion to correct an illegal sentence as the sentence was facially legal, see NRS 200.364; NRS 200.366, and there is nothing in the record indicating that the district court was without jurisdiction. See Edwards, 112 Nev. at 708,

¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

918 P.2d at 324. We therefore conclude that the district court did not err in denying appellant's motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Hon. Jennifer Togliatti, District Judge
Scott P. Wilson Jr.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk