

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM EDWARD FRENCH,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55758

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 an illegal sentence.¹ Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

In his motion, filed on February 26, 2010, appellant claimed that he was sentenced to the deadly weapon enhancement in violation of Apprendi v. New Jersey, 530 U.S. 466 (2000). Appellant's claim was outside the scope of a motion to correct an illegal sentence as the sentence was facially legal, see NRS 193.165; NRS 199.480; NRS 200.380, and there is nothing in the record indicating that the district court was without jurisdiction. See Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324

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).

(1996). 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.

Jan Lester, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Hon. Michelle Leavitt, District Judge
William Edward French
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk