

IN THE SUPREME COURT OF THE STATE OF NEVADA

KRISTIAN F. PRESTHOLM,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55978

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 appellant Kristian Prestholm's motion to correct an illegal sentence. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

Prestholm contends that the district court erred by denying his motion to correct an illegal sentence because he was not made aware that lifetime supervision was a condition of his guilty plea, and the prosecutor breached the plea agreement because lifetime supervision was not part of the guilty plea agreement. Prestholm's claims were 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). Accordingly, we conclude that the district court did not err by denying Prestholm's motion, and we

ORDER the judgment of the district court AFFIRMED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Hon. Michelle Leavitt, District Judge
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk
Christopher Oram