

IN THE SUPREME COURT OF THE STATE OF NEVADA

SAMUEL TROY BLAKE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 56092

**FILED**

NOV 12 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 for sentence modification.<sup>1</sup> Eighth Judicial District Court, Clark County; David Wall, Judge.

In his motion, filed on April 10, 2010, appellant claimed that his presentence investigation ("PSI") report erroneously reflected three military stockade incarcerations. Appellant failed to demonstrate that the district court relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment. Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Appellant also claimed that he was entitled to relief because neither his PSI report nor his judgment of conviction were properly signed and that the district court failed to exercise its discretion in sentencing him. These claims were outside the scope of a motion to modify sentence. See id. We therefore conclude that

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<sup>1</sup>This 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).

the district court did not err in denying appellant's motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>2</sup>

Hardesty, J.  
Hardesty

Douglas, J.  
Douglas

Pickering, J.  
Pickering

cc: Hon. David Wall, District Judge  
Samuel Troy Blake  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>2</sup>We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.