

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID MADRIGAL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 56088

DAVID ANTONIO MADRIGAL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 56331

FILED

SEP 29 2010

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

ORDER AFFIRMING IN DOCKET NO. 56088 AND DISMISSING
APPEAL IN DOCKET NO. 56331

These are proper person appeals from orders of the district court denying a motion for modification of sentence and a motion for transcripts. Eighth Judicial District Court, Clark County; Valorie Vega, Judge. We elect to consolidate these appeals for disposition. NRAP 3(b).

Docket No. 56088¹

In his motion filed on March 19, 2010, appellant claimed that the presentence investigation report contained errors, and appellant

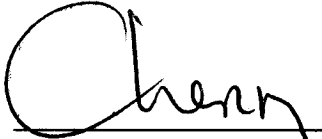
¹Docket No. 56088 has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).


challenged the psychosexual evaluation. 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). Therefore, we affirm the order of the district court denying the motion.


Docket No. 56331

No statute or court rule permits an appeal from an order denying a motion for transcripts. Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we lack jurisdiction over the appeal in Docket No. 56331. We

ORDER the judgment of the district court AFFIRMED in Docket No. 56088 and the appeal DISMISSED in Docket No. 56331.²


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

²We 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.

cc: Hon. Valorie Vega, District Judge
The Eighth District Court Clerk
David Antonio Madrigal
Attorney General/Carson City
Clark County District Attorney