

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROGER WILLIAM HULL,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 56327

ROGER WILLIAM HULL,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 56487

**FILED**

FEB 09 2011

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER OF AFFIRMANCE IN DOCKET NO. 56327 AND DISMISSING  
APPEAL IN DOCKET NO. 56487

These are proper person appeals from orders of the district court denying a motion for modification and correction of sentence, a motion to correct an illegal sentence, and a motion to set hearing and issue ruling.<sup>1</sup> Second Judicial District Court, Washoe County; Janet J. Berry, Judge.

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<sup>1</sup>These appeals have 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 Luckett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

Docket No. 56327

In his motion for modification and correction filed on January 8, 2010, appellant claimed that a psychosexual evaluation was improperly conducted and consequently the information available in the evaluation should not have been available to the district court judge before sentencing. 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 failed to demonstrate that his sentence was facially illegal and that the district court lacked jurisdiction. See id. Therefore, we affirm the denial of this motion.


In his motion to correct an illegal sentence filed on February 19, 2010, appellant claimed that the following provisions in his judgment of conviction were illegal: the fee imposed for DNA testing, the order that he reimburse the county in the amount of \$500 for representation by the Washoe County Public Defender's Office, and lifetime supervision. Appellant previously challenged the legality of the fee for DNA testing and the imposition of lifetime supervision. The doctrine of the law of the case prevents further litigation of these issues and cannot be avoided by a more detailed and precisely focused argument. Hall v. State, 91 Nev. 314, 315-16, 535 P.2d 797, 798-99 (1975). NRS 178.3975(1) permits the district court to order a defendant to pay all or any part of the expenses incurred by the county for the representation. Thus, this portion of the sentence was not illegal. Therefore, we affirm the denial of this motion.

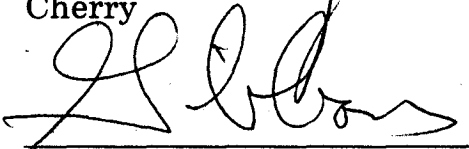
Docket No. 56487


Because no statute or court rule permits an appeal from an order denying a motion to set hearing and issue ruling, we lack

jurisdiction and dismiss this appeal. Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we

ORDER the judgment of the district court AFFIRMED in Docket No. 56327 and we DISMISS the appeal in Docket No. 56487.<sup>2</sup>

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Pickering

cc: Hon. Janet J. Berry, District Judge  
Roger William Hull  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe 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 these matters, 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.