

IN THE SUPREME COURT OF THE STATE OF NEVADA

JORGE DE LA HOYA,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 56522

**FILED**

DEC 09 2010

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

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying a motion to vacate or modify sentence.<sup>1</sup> Eighth Judicial District Court, Clark County; Kenneth C. Cory, Judge.

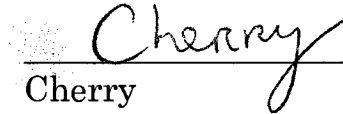
In his motion filed on June 7, 2010, appellant claimed that his probation should not have been revoked in 2008. Appellant failed to demonstrate that in sentencing appellant the district court relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment. See Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Appellant further failed to demonstrate that his sentence was facially illegal and that the district court lacked jurisdiction. See id.

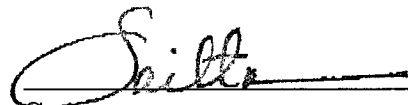
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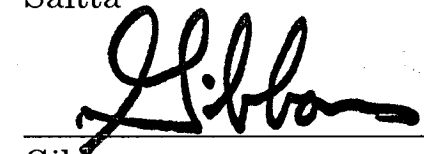
<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

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.

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

 \_\_\_\_\_, J.  
Saitta

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

cc: Hon. Kenneth C. Cory, District Judge  
Jorge De La Hoya  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk