


IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES GOODALL A/K/A JAMES
GOODALL, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 56665

FILED

DEC 27 2010

TRACEE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying a motion to correct or modify sentence.¹ Eighth Judicial District Court, Clark County; Doug Smith, Judge.

In his motion filed on July 12, 2010, appellant claimed that the sentence was illegal because he was not first sentenced on the substantive offense of possession of stolen property before he was adjudicated a habitual criminal and sentenced as such. Appellant further claimed that his sentence should be modified because of the court's failure to sentence him on the substantive offense first and because the State allegedly failed to certify the prior convictions. Appellant failed to demonstrate that his sentence was facially illegal and that the district court lacked jurisdiction. See Edwards v. State, 112 Nev. 704, 708, 918

¹This 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).

P.2d 321, 324 (1996). Appellant further failed to demonstrate that the district court relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment. See id. The record contains proof of at least four prior felony convictions, satisfying the requirements of NRS 207.010. 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.

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

cc: Hon. Doug Smith, District Judge
James Goodall a/k/a James O. Goodall, Jr.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk