

IN THE SUPREME COURT OF THE STATE OF NEVADA

TOM IOZZIA,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 56672

**FILED**

JAN 13 2011

ORDER OF AFFIRMANCE

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK


This is an appeal from a district court order denying appellant Tom Iozzia's motion to strike lifetime supervision requirements/motion to correct an illegal sentence. Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge.

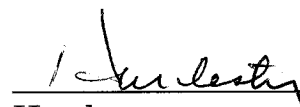
Iozzia contends that the district court erred by denying his motion to correct an illegal sentence. Iozzia conceded that the special sentence of lifetime supervision was properly imposed but challenged the conditions of lifetime supervision, arguing that they violate the Ex Post Facto Clause, the Double Jeopardy Clause, and the Contracts Clause of the Nevada and United States Constitutions, as well as due process and the "prohibition against vague and ambiguous laws under the U.S. Constitution."

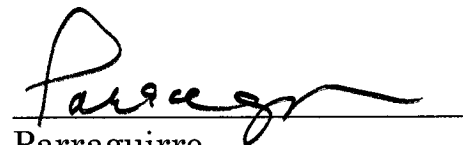
We conclude that the district court did not err in denying Iozzia's motion to correct an illegal sentence because his claim fell outside the narrow scope of claims permitted in such a motion. See Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996) (explaining that a motion to correct an illegal sentence may only challenge the facial legality of the sentence—either the district court was without jurisdiction to

impose a sentence or the sentence was imposed in excess of the statutory maximum). To the extent the motion was a motion to strike lifetime supervision requirements, no statute or court rule permits an appeal from an order denying such a motion and we therefore lack jurisdiction to consider the denial of that motion on appeal. Castillo v. State, 106 Nev. 349, 353, 792 P.2d 1133, 1135 (1990). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Elissa F. Cadish, District Judge  
Robert M. Draskovich, Chtd.  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk