IN THE SUPREME COURT OF THE STATE OF NEVADA

DANA RAY PARISH, Appellant, vs. THE STATE OF NEVADA, Respondent. No. 56814

FILED

MAR 1 7 2011

INDEMAN

ORDER OF AFFIRMANCE This is an appeal from an order of the district court denying appellant Dana Ray Parish's motion to correct an illegal sentence/strike lifetime supervision requirements. Eighth Judicial District Court, Clark

County; Donald M. Mosley, Judge. Parish claims that the district court erred by denying his

motion to correct an illegal sentence because the judgment of conviction did not impose a special sentence of lifetime supervision; the Board of Parole Commissioners has imposed lifetime supervision requirements that did not exist at the time of his offense, thereby violating the ex post facto, double jeopardy, contracts, and due process clauses of the federal and state constitutions; and some of the requirements imposed by the Board are not authorized by statute.

We conclude that the district court did not err in denying Parish's motion because his claims fell outside the narrow scope of claims that are permitted in a motion to correct an illegal sentence. See Edwards \underline{v} . State, 112 Nev. 704, 708-09 & n.2, 918 P.2d 321, 324-25 & n.2 (1996) (a motion to correct an illegal sentence may only challenge the facial legality of the sentence, alleging that either the district court was without jurisdiction to impose a sentence or the sentence imposed was in excess of

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the statutory minimum). To the extent that the motion was a motion to strike lifetime supervision requirements, no statute or court rule authorizes an appeal from such an order and therefore we lack jurisdiction to consider the denial of the motion on appeal. <u>See Castillo v. State</u>, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹

J Saitta J. J. Parraguir Hardesty

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

¹Although we have elected to file Parish's fast track statement and appendix, they are deficient. <u>See</u> NRAP 3C(e)(1)(C), (2)(C); NRAP 28(e); NRAP 30(c)(1). Specifically, counsel for Parish failed to support his assertions with citations to the appendix and the pages in the appendix are not paginated sequentially. Counsel is cautioned that failure to comply with the fast track statement and appendix requirements in the future may result in them being returned, unfiled, to be correctly prepared, <u>see</u> NRAP 32(e), and may also result in sanctions, <u>see</u> NRAP 3C(n).

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