

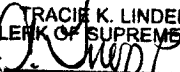
IN THE SUPREME COURT OF THE STATE OF NEVADA

JAVIER ANTONIO NAJARRO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 56937

FILED

MAY 10 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
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DEPUTY CLERK

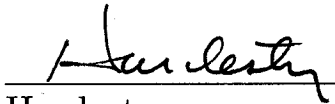
ORDER OF AFFIRMANCE

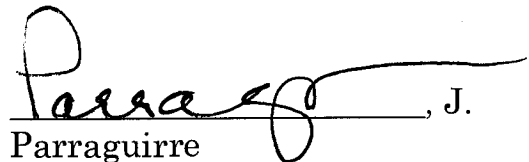
This is an appeal from a district court order denying appellant Javier Antonio Najarro's motion to modify his sentence. Eighth Judicial District Court, Clark County; Lee A. Gates, Judge.

Najarro contends that the district court abused its discretion by imposing restitution greater than the amount suffered by the victim. Najarro has failed to demonstrate that the district court relied on mistaken assumptions about his criminal record that worked to his extreme detriment, and his claim falls outside the narrow scope of claims permissible in a motion to modify a sentence. See Edwards v. State, 112 Nev. 704, 708 & 708-09 n.2, 918 P.2d 321, 324 & 325 n.2 (1996). Therefore, we conclude that the district court did not err by denying Najarro's motion, and we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Lee A. Gates, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk