

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES H. PORTER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 57852

**FILED**

**JUN 08 2011**

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

ORDER OF AFFIRMANCE

This is a proper person appeal from an order denying a motion for sentence modification.<sup>1</sup> Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

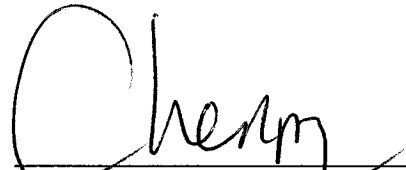
In his motion filed on January 5, 2011, appellant claimed that the presentence investigation report contained incorrect information about a 1973 conviction and his criminal record. Appellant further claimed that the 1973 conviction was not presented to the sentencing court and that his parole eligibility term for kidnapping should be reduced. Appellant previously challenged his habitual criminal adjudication in a prior motion to correct an illegal sentence and this court determined that the requirements for large habitual criminal treatment were satisfied and that the parole eligibility term for kidnapping was governed by NRS 207.010(2) and correctly amended to be ten years. The doctrine of the law

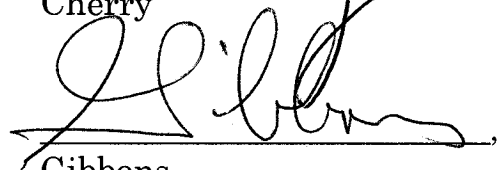
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<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

of the case prevents further litigation of these issues and cannot be avoided by a more detailed and precisely focused argument. Hall v. State, 91 Nev. 314, 316, 535 P.2d 797, 799 (1975). Appellant further failed to demonstrate that the district court relied on mistaken assumptions about his criminal record that worked to his extreme detriment. Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Accordingly, we conclude that the district court did not err in denying the motion, and we

ORDER the judgment of the district court AFFIRMED.

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

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

  
\_\_\_\_\_, J.  
Pickering

cc: Hon. Donald M. Mosley, District Judge  
Charles H. Porter  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk