

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALVARO MORALES-CASTILLO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 58155

**FILED**

**SEP 15 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 of the district court denying a motion for modification of sentence.<sup>1</sup> Eighth Judicial District Court, Clark County; Doug Smith, Judge.

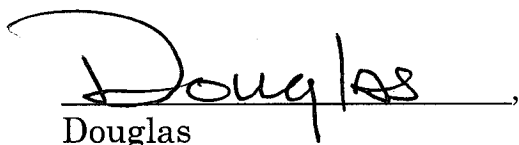
In his motion filed on March 14, 2011, appellant claimed that the district court abused its discretion in imposing the sentence in the instant case to run consecutively to the sentence in another district court case. Appellant failed to demonstrate that the district court relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment. Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). To the extent that appellant claimed that his plea was not knowingly and voluntarily entered and that he received ineffective assistance of counsel, these claims were outside the scope of claims permissible in a motion for sentence modification. Id. We therefore

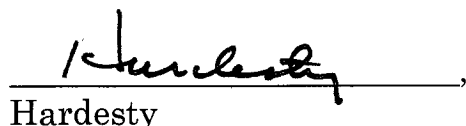
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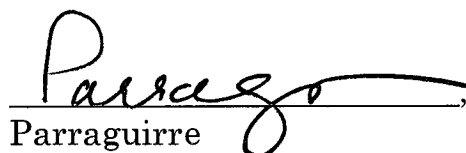
<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

conclude that the district court did not err in denying appellant's motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>2</sup>

 J.  
Douglas

 J.  
Hardesty

 J.  
Parraguirre

cc: Hon. Doug Smith, District Judge  
Alvaro Morales-Castillo  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>2</sup>We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.