

IN THE SUPREME COURT OF THE STATE OF NEVADA

CALVIN MOTEN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 58245

**FILED**

NOV 17 2011

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *A. Anderson*  
DEPUTY CLERK

ORDER OF AFFIRMANCE


This is a proper person appeal from an order of the district court denying a motion modify or correct an illegal sentence.<sup>1</sup> Eighth Judicial District Court, Clark County; Jessie Elizabeth Walsh, Judge.

In his motion, filed on March 31, 2011, appellant claimed that he received ineffective assistance of counsel. Appellant failed to demonstrate that the district court relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment. See Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Appellant failed to demonstrate that his sentence was facially illegal or that the

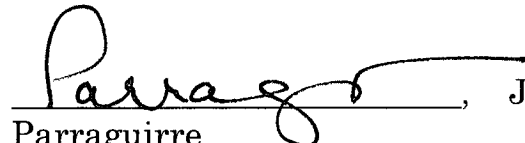
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<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

district court lacked jurisdiction. See id. We therefore conclude that the district court did not err in denying appellant's motion. Accordingly, we  
ORDER the judgment of the district court AFFIRMED.

 \_\_\_\_\_, J.  
Douglas

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

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

cc: Hon. Jessie Elizabeth Walsh, District Judge  
Calvin Moten  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk