

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROY ANDREW BRIM,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 58307

FILED

DEC 07 2011

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

ORDER OF AFFIRMANCE

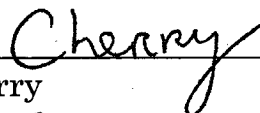
This is a proper person appeal from an order of the district court denying a motion to modify or correct an illegal sentence.¹ Second Judicial District Court, Washoe County; Jerome Polaha, Judge.


In his motion, filed on August 3, 2011, appellant claimed that he should not have received the deadly weapon enhancement as the weapon used in the crime did not qualify as a deadly weapon under NRS 193.165(6). 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 district court lacked jurisdiction. See id. We


¹This 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).

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.
Cherry


_____, J.
Gibbons


_____, J.
Pickering

cc: Hon. Jerome Polaha, District Judge
Roy Andrew Brim
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk