

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAY LORIN SAMORA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 58748

FILED

MAR 07 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malme*
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.¹ Eighth Judicial District Court, Clark County; Valorie J. Vega, Judge.

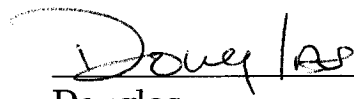
In his motion filed on April 21, 2011, appellant claimed that he did not receive a formal competency hearing and that he was incompetent to enter a guilty plea. Appellant's claim fell outside the scope of claims permissible in a motion to modify sentence, and appellant failed to demonstrate that the 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). 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).

The district court granted appellant's motion for a copy of his competency reports, and thus, this appeal does not address this aspect of his motion.

therefore conclude that the district court did not err in denying appellant's motion.² Accordingly, we

ORDER the judgment of the district court AFFIRMED.³


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

cc: Hon. Valorie J. Vega, District Judge
Jay Lorin Samora
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²We note that appellant's competency was evaluated and that prior to entry of the plea the district court found appellant competent pursuant to the reports of two doctors.

³We 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.