

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIE T. SMITH,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 58880

FILED

MAR 07 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. Malone*
DEPUTY CLERK

ORDER OF AFFIRMANCE

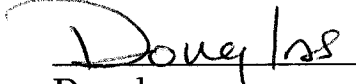
This is a proper person appeal from an order denying a motion for sentence modification.¹ Eighth Judicial District Court, Clark County; Jessie Elizabeth Walsh, Judge.


In his motion filed on June 30, 2011, appellant claimed that the district court relied on errors set forth in his presentence investigation report in sentencing him. 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 therefore conclude that the district

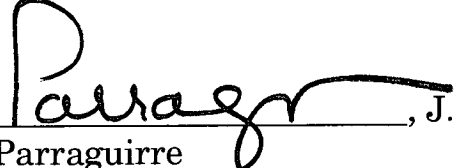
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Luckett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

court did not err in denying appellant's motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

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

²We 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.