IN THE SUPREME COURT OF THE STATE OF NEVADA

RONALD KWAME GAINES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 58964

FILED

NOV 18 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying a motion to correct an illegal sentence.[1] Eighth Judicial District Court, Clark County; Doug Smith, Judge.

In his motion filed on June 21, 2011, appellant claimed that the charging documents did not set forth the habitual criminal count and the prior judgments were not filed in the district court. Appellant failed to demonstrate that his sentence was facially illegal and that the district court lacked jurisdiction. See Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). We note that the State filed a timely notice of its intention to seek habitual criminal adjudication and the State's sentencing memorandum contained at least two facially-valid prior judgments of

[1]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 Luckett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

conviction. NRS 207.016(2). 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.[2]

Douglas, J.

Hardesty, J.

Parraguirre, J.

cc: Hon. Doug Smith, District Judge
Ronald Kwame Gaines
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

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[2]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.