

IN THE SUPREME COURT OF THE STATE OF NEVADA

IVAN RICHARD SANDERSON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 59032

**FILED**

NOV 18 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 correct or modify sentence.<sup>1</sup> Third Judicial District Court, Churchill County; David A. Huff, Judge.

In his motion filed on March 18, 2011, appellant claimed that his sentence was illegal because Nevada law does not permit the district court to impose two habitual criminal sentences for multiple counts within a single judgment of conviction. Appellant failed to demonstrate that his sentence was facially illegal and that the district court lacked jurisdiction. Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Appellant failed to demonstrate that the district court relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment. Id. The district court may impose the habitual criminal penalty for each primary offense in the judgment of conviction. Odoms v.

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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).

State, 102 Nev. 27, 33, 714 P.2d 568, 572 (1986). 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.

Douglas, J.  
Douglas

Hardesty, J.  
Hardesty

Parraguirre, J.  
Parraguirre

cc: Hon. David A. Huff, District Judge  
Ivan Richard Sanderson  
Churchill County District Attorney  
Attorney General/Carson City  
Churchill County Court Administrator