

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES DERRICK HUNDLEY,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 60178

**FILED**

JUN 14 2012

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY Anderson  
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying a motion to modify an illegal sentence.<sup>1</sup> Second Judicial District Court, Washoe County; Janet J. Berry, Judge.


In his motion filed on November 7, 2011, appellant claimed that the district court relied upon false statements in his presentence investigation report and an “aggressive” argument by the State 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). Appellant failed to demonstrate that his sentence was facially illegal and that the district court lacked jurisdiction. See id.


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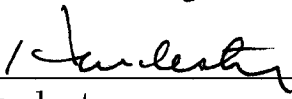
<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

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.<sup>2</sup>

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Hardesty

cc: Hon. Janet J. Berry, District Judge  
James Derrick Hundley  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk

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<sup>2</sup>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.