

IN THE SUPREME COURT OF THE STATE OF NEVADA

JESSIE MCKELVEY A/K/A JESSIE
MCKELVEY, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60184

FILED

JUN 14 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *H. H. H. H.*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order denying a motion to modify sentence.¹ Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.


In his motion filed on December 6, 2011, appellant claimed that the district court was not made aware that he was committing his crimes due to his drug addiction. 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

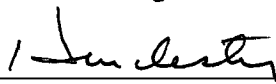
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

Nev. 704, 708, 918 P.2d 321, 324 (1996). 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.


_____, J.
Saitta


_____, J.
Pickering


_____, J.
Hardesty

cc: Hon. Michelle Leavitt, District Judge
Jessie McKelvey
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk