IN THE SUPREME COURT OF THE STATE OF NEVADA

GISTARVE RUFFIN, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60384

FILED

SEP 13 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY
DEPUTY CLERK

## ORDER OF AFFIRMANCE

This is a proper person appeal from an order denying a motion to modify or correct an illegal sentence.[1] Second Judicial District Court, Washoe County; Brent T. Adams, Judge.
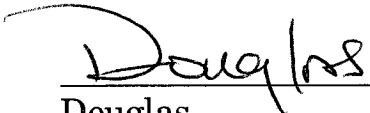
In his motion filed on November 22, 2011, appellant challenged his habitual criminal adjudication, claiming that the eight prior convictions presented to the court were invalid because they did not comply with the requirements of NRS 176.105. Appellant failed to demonstrate that the district court relied 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 further failed to demonstrate that his sentence was facially illegal and that the district court lacked jurisdiction. See id. We therefore conclude
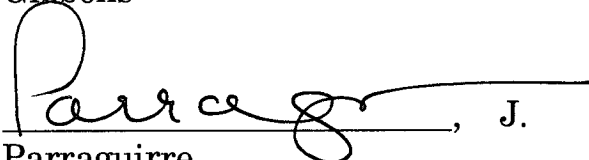
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[1]This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Luckett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

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that the district 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. Brent T. Adams, District Judge
        Gistarve Ruffin, Jr.
        Attorney General/Carson City
        Washoe County District Attorney
        Washoe 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.