

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARION NICHOLSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60414

FILED

OCT 08 2012

FRAGIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
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 January 23, 2012, appellant claimed that the presentence report contained errors about the charges for which he was arrested. 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). 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.

[Signature] _____, J.
Saitta

[Signature] _____, J.
Pickering

[Signature] _____, J.
Hardesty

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).

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