

IN THE SUPREME COURT OF THE STATE OF NEVADA

RALPH SCHNEIDER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60879

FILED

JAN 16 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. Malone*
DEPUTY CLERK


ORDER OF AFFIRMANCE

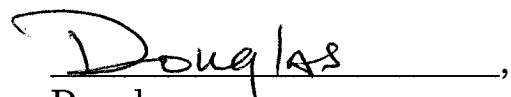
This is an appeal from a district court order denying appellant Ralph Schneider's motion to correct an illegal sentence. Second Judicial District Court, Washoe County; Steven R. Kosach, Judge.


Schneider contends that his sentence is illegal because his convictions for battery with a deadly weapon and battery causing substantial bodily harm are redundant and violate double jeopardy. The district court considered and rejected Schneider's claim on the merits. Schneider's claim, however, falls outside the narrow scope of claims permissible in a motion to correct an illegal sentence, see Edwards v. State, 112 Nev. 704, 708-09 & n.2, 918 P.2d 321, 324-25 & n.2 (1996), and he fails to demonstrate that the district court was either without jurisdiction to impose a sentence or imposed a sentence in excess of the statutory maximum, see id. at 708, 918 P.2d at 324. We conclude that the district court reached the right result by denying Schneider's motion, albeit for the wrong reason. See Wyatt v. State, 86 Nev. 294, 298, 468 P.2d 338, 341 (1970) ("If a judgment or order of a trial court reaches the

right result, although it is based on an incorrect ground, the judgment or order will be affirmed on appeal.”). Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Second Judicial District Court Dept. 8
Federal Public Defender/Las Vegas
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

¹Although we filed the fast track statement and response submitted by the parties, they fail to comply with the Nevada Rules of Appellate Procedure. The briefs do not contain margins in compliance with NRAP 3C(h)(1) and NRAP 32(a)(4). Counsel for Schneider and the State are cautioned that the failure to comply with the briefing requirements in the future may result in the imposition of sanctions. See NRAP 3C(n); Smith v. Emery, 109 Nev. 737, 743, 856 P.2d 1386, 1390 (1993).