

IN THE SUPREME COURT OF THE STATE OF NEVADA

JARAMIE DEAN WOMACK,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 61127

FILED

FEB 13 2013

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

ORDER OF AFFIRMANCE

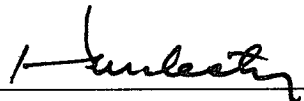
This is a proper person appeal from an order denying a motion to correct an illegal sentence.¹ Eighth Judicial District Court, Clark County; Jessie Elizabeth Walsh, Judge.

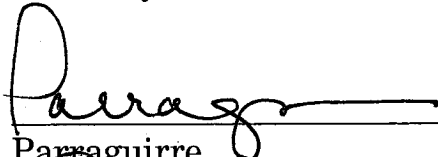
In his motion filed on April 27, 2012, appellant claimed his sentence of life without the possibility of parole pursuant to NRS 207.010 was illegal because he was 17 years old when he committed the crimes underlying the four prior convictions. Appellant failed to demonstrate that his sentence was facially illegal and that the district court lacked jurisdiction. See Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Nothing in NRS 207.010 limits the prior felony convictions based on the age of the defendant. Appellant's reliance upon Graham v. Florida, ___ U.S. ___, ___, 130 S. Ct. 2011, 2034 (2010) is misplaced as the Graham holding does not limit consideration of a prior felony conviction, committed as a juvenile, for habitual criminal purposes. We therefore conclude that

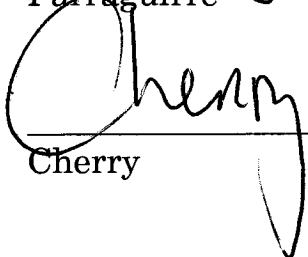
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

the district court did not err in denying appellant's motion. Accordingly,
we

ORDER the judgment of the district court AFFIRMED.²


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Cherry

cc: Hon. Jessie Elizabeth Walsh, District Judge
Jaramie Dean Womack
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²We 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.