

IN THE SUPREME COURT OF THE STATE OF NEVADA

TOMMIE L. MCDOWELL, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 62500

**FILED**

JUL 23 2013

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

*ORDER OF AFFIRMANCE*

This is a proper person appeal from an order denying a motion to correct an illegal sentence.<sup>1</sup> Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

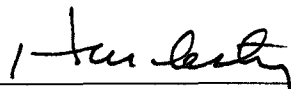
In his motion filed on November 20, 2012, appellant claimed that the district court erred in adjudicating him a habitual criminal because the sentencing hearing was less than fifteen days from the date the amended information was filed and he was never adjudicated on the primary offense. Appellant also claimed that the judgment of conviction was invalid because it was filed more than 10 days after the sentencing hearing. Appellant failed to demonstrate that his sentence was facially illegal or that the district court was not a competent court of jurisdiction. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). We

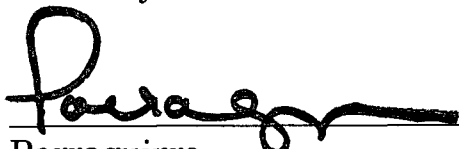
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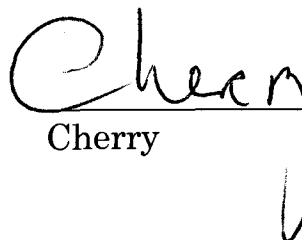
<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Luckett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

therefore conclude that the district court did not err in denying appellant's motion.<sup>2</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>3</sup>

 \_\_\_\_\_, J.  
Hardesty

 \_\_\_\_\_, J.  
Parraguirre

 \_\_\_\_\_, J.  
Cherry

cc: Hon. Kathleen E. Delaney, District Judge  
Tommie L. McDowell, Jr.  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>2</sup>We further conclude that the district court did not abuse its discretion in denying appellant's motion to invoke speedy-trial rights, motion to dismiss, and motion for judgment of acquittal.

<sup>3</sup>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.