

IN THE SUPREME COURT OF THE STATE OF NEVADA

FREDERICK WILLIAM ADKINS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 63902

FILED

MAR 12 2014

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

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying a motion to vacate, set aside, or correct an illegal sentence.¹ Fifth Judicial District Court, Nye County; Robert W. Lane, Judge.

In his motion filed on April 24, 2013, appellant claimed that his sentence was illegal because the State filed, on the same day as sentencing, a third amended information that did not include a count of habitual criminal. Appellant's claim fell outside the narrow scope of claims permissible in a motion to correct an illegal sentence as his sentence was facially legal and his claim did not implicate the jurisdiction of the district court. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d

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).

321, 324 (1996); Nev. Const. art. 6, § 6. Therefore, we conclude that the district court did not err in denying appellant's motion, and we

ORDER the judgment of the district court AFFIRMED.²

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

cc: Hon. Robert W. Lane, District Judge
Frederick William Adkins
Nye County District Attorney
Attorney General/Carson City
Nye County 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.