

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTHONY STRICKLAND A/K/A
ANTONIO WARD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 63945

FILED

FEB 13 2014

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

ORDER OF AFFIRMANCE


This is a proper person appeal from an order of the district court denying a motion to modify and/or correct an illegal sentence.¹ Eighth Judicial District Court, Clark County; Elizabeth Goff Gonzalez, Judge.

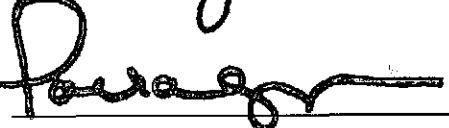
In his motion filed on July 17, 2013, appellant claimed that the State failed to prove his prior felony convictions, the district court abused its discretion in adjudicating him a habitual criminal, and he received ineffective assistance of counsel. These claims fell outside the narrow scope of claims permissible in a motion to modify or correct an illegal sentence. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Therefore, without considering the merits of any claims raised


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).

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

ORDER the judgment of the district court AFFIRMED.²


_____, J.
Pickering


_____, J.
Parraguirre


_____, J.
Saitta

cc: Hon. Elizabeth Goff Gonzalez, District Judge
Anthony Strickland
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²We note that the district court denied the motion based upon the passage of time and the doctrine of laches. Laches does not apply to a motion to modify or correct an illegal sentence. Nevertheless, we affirm the district court's decision to deny the motion for the reasons discussed in this order. *Wyatt v. State*, 86 Nev. 294, 298, 468 P.2d 338, 341 (1970).