


IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT HOLMES, III,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 64255

FILED

MAR 11 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

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

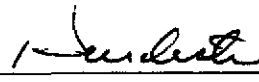
In his motion filed on September 4, 2013, appellant claimed that the statute of limitations had run on seven of the twenty-seven counts originally charged. Appellant claimed that the victims for these offenses were erroneously included in the two counts of possession of stolen property that he pleaded guilty to committing.² Appellant's 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). We note that the statute of limitation is a non-

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).

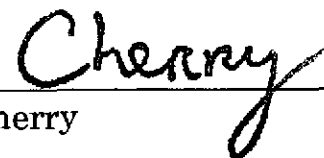
²The two counts of possession of stolen property that he entered a guilty plea to listed all of the twenty-six victims set forth in the indictment.

jurisdictional, affirmative defense. *See Dozier v. State*, 124 Nev. 125, 129, 178 P.3d 149, 152 (2008). Therefore, without considering the merits of any of the claims raised in the motion, we conclude that the district court did not err in denying the motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Hardesty


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Jerome T. Tao, District Judge
Robert Holmes, III
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk