

IN THE SUPREME COURT OF THE STATE OF NEVADA

JEFFREY SCOTT CORNELL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 64508

FILED

JUL 22 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

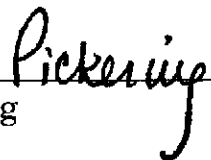
This is an appeal from a second corrected judgment of conviction, pursuant to a guilty plea, of two counts of burglary. Second Judicial District Court, Washoe County; Brent T. Adams, Judge.

After appellant Jeffrey Scott Cornell pleaded guilty, the district court sentenced him to consecutive terms of 24-84 months and 12-48 months, suspended the sentence, and placed him on probation. Subsequently, Cornell committed a new crime and his probation was revoked. The district court then entered a "corrected judgment" which purported to impose the underlying sentence; however, this order erroneously stated that the maximum term imposed for count I was 48 months rather than 84. When this discrepancy was noticed, the district court entered a "second corrected judgment" correcting the error.


Cornell contends that the district court erred by "increasing the maximum term and should instead have corrected [the sentence] by reducing the minimum term." We disagree. The "second corrected judgment" merely corrected the clerical error contained in the first "corrected judgment," and a district court may correct a clerical error at any time. *See* NRS 176.565. Moreover, the district court could not have

reduced the minimum term under the circumstances presented. *See* NRS 193.130(1) (“The minimum term of imprisonment that may be imposed must not exceed 40 percent of the maximum term imposed.”); NRS 205.060(4) (a person convicted of burglary shall be imprisoned for a minimum term of not less than two years). We conclude that this claim lacks merit, and we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Pickering


_____, J.
Parraguirre


_____, J.
Saitta

cc: Hon. Brent T. Adams, District Judge
Washoe County Alternate Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk