

IN THE SUPREME COURT OF THE STATE OF NEVADA

NATHANIEL LEE MORRIS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 65235

**FILED**

JUN 12 2014

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

*ORDER OF AFFIRMANCE*

This is a proper person appeal from an order of the district court denying a motion to modify sentence.<sup>1</sup> Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

In his motion filed on February 11, 2014, appellant first claimed that the district court erred in adjudicating him a habitual criminal because the State improperly informed the court he was convicted of robbery in 1973 when he had actually been convicted of burglary. Appellant's claim was without merit. We note that the presentence investigation report states that appellant was convicted of robbery in 1973. Even assuming that the report was mistaken and appellant was actually convicted of burglary, appellant failed to demonstrate that such a mistake worked to his extreme detriment. *See*

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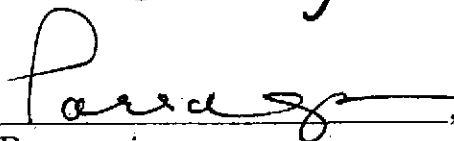
<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).


*Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Therefore, the district court did not err in denying this claim.

Next, appellant claimed that the State failed to produce sufficient evidence to demonstrate that his prior convictions were valid for use in adjudication as a habitual criminal, the district court improperly imposed the habitual criminal sentence for all of his convictions when only one enhancement was permitted; his convictions arose out of only one transaction, and the district court failed to make factual findings regarding his sentence. These claims fell outside the narrow scope of claims permissible in a motion to modify sentence. *See id.* Therefore, without considering the merits of these claims, we conclude that the district court did not err in denying the motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Pickering

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

  
\_\_\_\_\_, J.  
Saitta

cc: Hon. Michelle Leavitt, District Judge  
Nathaniel Lee Morris  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk