

IN THE SUPREME COURT OF THE STATE OF NEVADA

VICKIE LEAVITT DURAN A/K/A
VICKIE LEAVITT SITTLE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 65812

FILED

SEP 18 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *T. Malone*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order denying a motion to vacate conviction, or alternatively, motion for a new trial.¹ Eighth Judicial District Court, Clark County; Michael Villani, Judge.

In her motion filed on March 21, 2014, appellant challenged the validity of her judgment of conviction on a number of grounds. Preliminarily, we note that a motion to vacate conviction is not the proper vehicle for appellant's challenges. *See* NRS 176.515(5). To the extent that appellant sought a new trial based on newly discovered evidence,

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).

appellant's motion was untimely filed. *See* NRS 176.515(3). Accordingly,
we

ORDER the judgment of the district court AFFIRMED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

cc: Hon. Michael Villani, District Judge
Vickie Leavitt Duran
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk