

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN EUGENE LEPLEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 66284

FILED

JAN 15 2015

TRACIE R. LINDEMAN
CLERK OF THE SUPREME COURT
BY *Tracie R. Lindeman*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

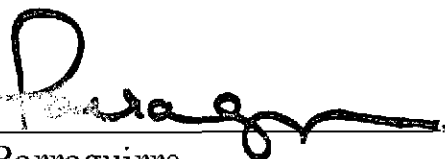
This is a proper person appeal from an order of the district court denying a motion to correct an illegal sentence.¹ Fifth Judicial District Court, Nye County; Robert W. Lane, Judge.

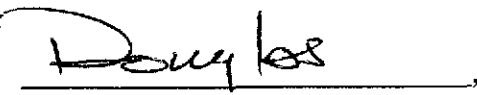
In his motion filed on May 23, 2014, appellant claimed that his sentences of 25 years with parole eligibility after 10 years and lifetime supervision were illegal because they were based on statutes that were enacted after he committed the sexual-assault offense. Appellant failed to demonstrate that his sentence was facially illegal or that the district court lacked jurisdiction. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). At the time his offense was committed, the statutes provided for a definite term of 25 years with parole eligibility after 10 years, *see* 1995 Nev. Stat., ch. 443, § 58, at 1186-87, and for lifetime supervision, *see* 1995 Nev. Stat., ch. 256, §§ 4, 14, at 414, 418. Appellant

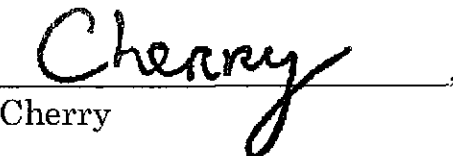
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

also claimed that the charging document did not list a specific age of the victim, the offense took place in California, counsel was ineffective, he was entitled to additional presentence credit, and the judgment of conviction is not final because it does not state the cost of the psychosexual exam. We decline to consider the merits of these claims as they fell outside the narrow scope of claims permissible in a motion to correct an illegal sentence. *See Edwards*, 112 Nev. at 708, 918 P.2d at 324. Accordingly, we conclude that the district court did not err in denying appellant's motion, and we

ORDER the judgment of the district court AFFIRMED.²


Parraguirre J.


Douglas J.


Cherry J.

²We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.

cc: Hon. Robert W. Lane, District Judge
Brian Eugene Lepley
Nye County District Attorney
Attorney General/Carson City
Nye County Clerk