

IN THE SUPREME COURT OF THE STATE OF NEVADA

TYON HOPKINS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 66322

FILED

DEC 11 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 correct an illegal sentence.¹ Eighth Judicial District Court, Clark County; Jerome T. Tao, Judge.

In his motion filed on July 10, 2014, appellant claimed that his sentence was illegal because the deadly weapon enhancement should have been imposed in accordance with the 2007 amendments to NRS 193.165. 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). Appellant committed his offense in January 2007, prior to the date that the amendments to NRS 193.165 went into effect, and the 2007 amendments do not apply retroactively. *State v. Second Judicial Dist. Court (Pullin)*, 124 Nev. 564, 571, 188 P.3d 1079, 1083-84 (2008). Appellant also appeared to claim that the district

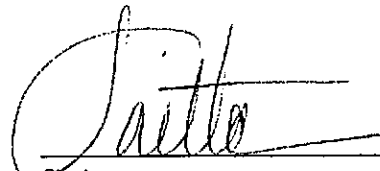
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

court lacked jurisdiction to sentence him because there was no enacting clause set forth in the Nevada Revised Statutes. Appellant's claim did not implicate the jurisdiction of the district court. See Nev. Const. art. 6, § 6; NRS 171.010. We therefore conclude that the district court did not err in denying appellant's motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Pickering


_____, J.
Saitta

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