

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

SHAUNTAY WHEATON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 66773

FILED

FEB 24 2015

TRAVIS K. HINDMAN
CLERK OF SUPREME COURT
BY *M. McCall*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from an order of the district court denying a motion to correct an illegal sentence.¹ Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge.


In his motion filed on September 2, 2014, appellant claimed that his sentence was illegal based on *Miller v. Alabama*, 567 U.S. ___, 132 S. Ct. 2455 (2012). 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). Therefore, we

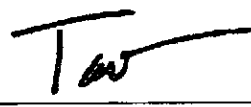
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See *Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

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conclude that the district court did not err in denying appellant's motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. Elissa F. Cadish, District Judge
Shauntay Wheaton
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²We have reviewed all documents that appellant has submitted 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.