

IN THE SUPREME COURT OF THE STATE OF NEVADA

JORGE SOCRROCO CARAVAJAL,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 66943

**FILED**

APR 10 2015

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

*ORDER DISMISSING APPEAL*


This is an appeal from a corrected judgment of conviction, pursuant to a guilty plea, of burglary and grand larceny of a motor vehicle. Second Judicial District Court, Washoe County; Scott N. Freeman, Judge.

Our review of this appeal revealed potential jurisdictional defects. Specifically, since the judgment was corrected pursuant to the parties' stipulation and resulted in a reduction of appellant's sentence on Count III, appellant did not appear to be an aggrieved party. Additionally, it appeared that the notice of appeal was untimely filed. Accordingly, on January 13, 2015, we directed appellant's counsel to show cause why this appeal should not be dismissed for lack of jurisdiction.

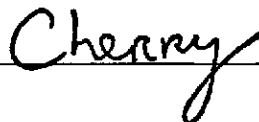
In response, counsel appears to argue in part that appellant is not limited to appealing only the corrected portion of the judgment, and he is aggrieved by the entire judgment of conviction. However, to the extent that this appeal can be construed as an appeal from the original judgment of conviction, the notice of appeal was not timely filed. See NRAP 4(b)(1)(A). Thus, the appeal from the corrected judgment of conviction may only challenge the corrected judgment to the extent that it differs from the original judgment of conviction. Counsel fails to argue, much less demonstrate, that appellant was aggrieved by the portion of the corrected

judgment that differs from the original judgment of conviction. Because the corrected judgment of conviction granted the relief to which appellant stipulated, reduced his sentence on one of his charges, and does not otherwise differ from the original judgment, appellant is not aggrieved with respect to the corrected judgment of conviction. See NRS 177.015 (only an aggrieved party may appeal). Accordingly, we lack jurisdiction to entertain this appeal and we

ORDER this appeal DISMISSED.<sup>1</sup>

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

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Cherry

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<sup>1</sup>Counsel also attempts to demonstrate that appellant delivered his notice of appeal to a prison official for mailing on or before November 14, 2014, which would render it deemed timely filed. See *Kellogg v. Journal Commc'ns*, 108 Nev. 474, 477, 835 P.2d 12, 13 (1992). Counsel indicates that appellant was incarcerated in a California jail that does not utilize a system designed to track legal mail, as contemplated in NRAP 4(d), but includes appellant's declaration to the effect that he delivered the notice for mailing on November 14, as well as a related jail grievance form referencing the notice being given to a jail official on November 14. In light of our conclusion that appellant is not aggrieved by the corrected judgment, we need not determine whether these circumstances satisfy the requirements of NRAP 4(d).

cc: Hon. Scott N. Freeman, District Judge  
Jorge Socorro Caravajal  
John N. Stephenson  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk