

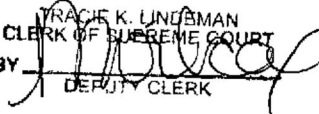
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ANTHONY HARRIS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 67082

FILED

APR 15 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order denying a motion to modify sentence.¹ Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.


In his motions filed on October 1, 2014, and October 6, 2014, appellant Anthony Harris claimed that his sentence should be modified because the State did not file a notice of intent to seek habitual criminal adjudication in the information charging the primary offense and because the State failed to establish proof of his prior convictions prior to the plea hearing or at sentencing. Harris also claimed that the district court improperly relied on prior convictions that were more than ten years old when adjudicating him as a habitual criminal and his sentence is illegal because the district court did not make a specific finding that adjudication as a habitual criminal was “just” and “proper.”


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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These claims fell outside the narrow scope of claims permissible in a motion to modify or correct an illegal sentence. See *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Therefore, without considering the merits of any of the claims raised in the motion, we conclude that the district court did not err in denying the motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. Kathleen E. Delaney, District Judge
Anthony Harris
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²We have reviewed all documents that Harris has submitted to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted.