

IN THE SUPREME COURT OF THE STATE OF NEVADA

ELOY PADILLA-SALDANA,  
Appellant,  
vs.  
THE STATE OF NEVADA; AND  
DWIGHT NEVEN, WARDEN,  
Respondents.

No. 67606

FILED

JUN 11 2015

TRACIE K. LINDAMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

ORDER OF AFFIRMANCE

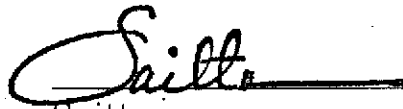
This is a pro se appeal from an order of the district court denying appellant Eloy Padilla-Saldana's motion to correct an illegal sentence.<sup>1</sup> Second Judicial District Court, Washoe County; Lynne K. Simons, Judge.


In his motion filed on September 15, 2014, Padilla-Saldana raised claims of actual innocence, ineffective assistance of counsel, insufficient evidence, admission of improper evidence and perjured testimony, improper jury instructions, and due process violations due to an all-white jury. Padilla-Saldana's claims did not allege that his sentence was facially illegal or that the district court lacked jurisdiction to sentence him. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Therefore, Padilla-Saldana's claims fell outside the narrow scope

<sup>1</sup>This 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).

of claims permissible in a motion to correct an illegal sentence. *See id.* Accordingly, 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, and we

ORDER the judgment of the district court AFFIRMED.<sup>2</sup>

  
Saitta, J.

  
Gibbons

  
Pickering, J.

cc: Hon. Lynne K. Simons, District Judge  
Eloy Padilla-Saldana  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk

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<sup>2</sup>We deny Padilla-Saldana's motion for appointment of counsel as moot in light of this disposition.