

IN THE SUPREME COURT OF THE STATE OF NEVADA

DELBERT M. GREENE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 67481

FILED

NOV 13 2015

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

ORDER OF AFFIRMANCE

This is a pro se appeal from a district court order denying a motion to correct an illegal sentence.¹ Eighth Judicial District Court, Clark County; Jennifer P. Togliatti, Judge.

Appellant Delbert M. Greene claimed that his sentence was illegal because the district court imposed a higher sentence after this court vacated his original sentence on direct appeal and directed the district court to correct the sentence on remand, and because the district court did not give him credit for the time that he served in prison between his original sentence and his amended sentence. Greene'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, his claims fell outside the narrow scope of claims permissible in a motion to correct an illegal sentence. *See id.*

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).

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.²

Hardesty, C.J.
Hardesty

Parraguirre J.
Parraguirre

Douglas J.
Douglas

cc: Hon. Jennifer P. Togliatti, District Judge
Delbert M. Greene
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²We have reviewed all pro se documents that Greene 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 Greene has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we decline to consider them in the first instance.