

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

REGINALD CLARENCE HOWARD,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 69839

**FILED**

SEP 20 2016

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

*ORDER OF AFFIRMANCE*

This is an appeal from an order of the district court denying a motion to correct an illegal sentence.<sup>1</sup> Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

Appellant Reginald Clarence Howard argues the district court erred in denying his motion filed on December 24, 2015. Howard argues the district court lacked jurisdiction to impose a sentence under the habitual criminal enhancement because the State improperly amended the information after the jury found him guilty of the underlying crime of possession of stolen property. Howard's claim did not implicate the jurisdiction of the district court. *See Nev. Const. art. 6, § 6; NRS 171.010.* Accordingly, Howard's claims fell outside the narrow scope of claims permissible in a motion to 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

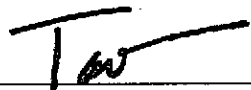
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<sup>1</sup>This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

conclude the district court did not err in denying the motion.<sup>2</sup> Accordingly,  
we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Silver

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

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<sup>2</sup>As a separate and independent ground for denying relief, Howard's claim lacked merit. The version of NRS 207.010(5) in effect when Howard was found guilty and sentenced in 1988 permitted the State to amend the information following the finding of guilt for the primary offense in order to add a count alleging the defendant is a habitual criminal. See 1985 Nev. Stat., ch. 366, § 2, at 1027; 1985 Nev. Stat., ch. 544, § 1, at 1644.