

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JONATHAN EDWARD WATKINS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 69862

FILED

NOV 18 2016

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order denying a motion to vacate illegal sentence and judgment of conviction.¹ Second Judicial District Court, Washoe County; Patrick Flanagan, Judge.


Appellant Jonathan Edward Watkins claims the district court erred by denying his motion to vacate illegal sentence and judgment of conviction. In his motion filed on December 10, 2015, Watkins claimed that, because the District Attorney who was in office when the information was filed was not bonded as required by NRS 252.030, the information charging him with murder and robbery was invalid, the district court lacked subject matter jurisdiction to convict him, and his conviction and sentence are illegal.

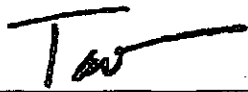
Watkins failed to demonstrate that his sentence was facially illegal or the district court lacked jurisdiction. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Even assuming the District

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

Attorney was not bonded as required by NRS 252.030, the failure to obtain such a bond would not have divested the district court of jurisdiction. See Nev. Const. art. 6, § 6; NRS 171.010. Therefore, we conclude the district court did not err in denying Watkins's motion, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. Patrick Flanagan, District Judge
Jonathan Edward Watkins
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk