

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CHARLES H. HILL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 71068

FILED

DEC 28 2016

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

ORDER OF AFFIRMANCE

Appellant Charles H. Hill appeals from a district court order denying the motion to modify sentence he filed on June 27, 2016.¹ Eighth Judicial District Court, Clark County; Jessie Elizabeth Walsh, Judge.

Hill claims the district court erred in denying his motion to modify sentence because it failed to consider the fact the records of his prior proceedings were destroyed, the district court has not allowed reconstruction of these records, and he was not given an opportunity to cure the defects in his pleading. We conclude Hill has not demonstrated error.

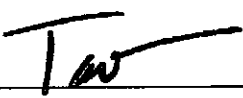
In his motion, Hill claimed defense counsel was ineffective for failing to mention or make any argument about his mental illness during sentencing. This claim fell outside the narrow scope of claims permissible in a motion to modify sentence. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Accordingly, without considering the merits of


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

the claim raised in the motion, we conclude the district court did not err in denying the motion, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. Jessie Elizabeth Walsh, District Judge
Charles H. Hill
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk