

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CHARLES CLINTON NEWTON, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 70616

FILED

DEC 28 2016

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *Elizabeth A. Brown*
DEPUTY CLERK

ORDER OF AFFIRMANCE

Appellant Charles Clinton Newton, Jr. appeals from a district court order denying a motion to correct an illegal sentence.¹ Eighth Judicial District Court, Clark County; Stefany Miley, Judge.

Newton claims his sentence is illegal and the district court lacked jurisdiction to impose a term of lifetime supervision. Specifically, he asserts, because lifetime supervision is punitive in nature, imposition of lifetime supervision constitutes double punishment in violation of the Double Jeopardy Clause.


Newton 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). Imposition of lifetime supervision does not violate the Double Jeopardy Clause because the lifetime-supervision statute evinces a legislative intent to impose cumulative punishments for a single offense, *see* NRS 176.0931(1), (2), and where “a


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


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state legislature has clearly authorized multiple punishments for the same offense . . . dual punishments do not offend double jeopardy, even though they are imposed for the same offense,” *Jackson v. State*, 128 Nev. 598, 605, 291 P.3d 1274, 1278 (2012) (internal quotation marks omitted). Therefore, we conclude the district court did not err in denying Newton’s motion, and we

ORDER the judgment of the district court AFFIRMED.²


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. Stefany Miley, District Judge
Charles Clinton Newton, Jr.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²We have reviewed the “Motion to Grant Appeal” filed on September 27, 2016, and we conclude no relief based upon that motion is warranted. To the extent Newton presents claims or facts which were not previously presented in the proceedings below, we decline to consider them in the first instance.