

IN THE SUPREME COURT OF THE STATE OF NEVADA

AUGUSTINE BRECEDA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 71035

FILED

JUN 15 2017

ELIZABETH M. BROWN
CLERK OF THE SUPREME COURT
BY: *[Signature]*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a pro se appeal from an order denying a motion to correct an illegal sentence.¹ Second Judicial District Court, Washoe County; Jerome M. Polaha, Judge.

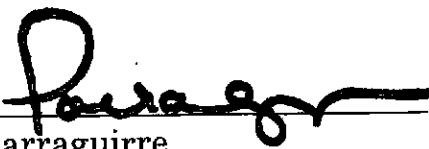
Appellant argues that his sentence is illegal because the judgment of conviction references two sentence enhancement statutes (NRS 193.165 and NRS 193.167) for counts 6 and 7. Appellant fails to demonstrate that his sentence was facially illegal or that the district court lacked jurisdiction. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). The judgment of conviction imposed only one enhancement for each count and reference to the two factually applicable

¹Having considered the pro se brief filed by appellant, we conclude that a response is not necessary. NRAP 46A(c). This appeal therefore has been submitted for decision based on the pro se brief and the record. *See* NRAP 34(f)(3).

enhancement statutes did not render his sentence illegal. Therefore, we conclude that the district court did not err in denying appellant's motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Stiglich

cc: Hon. Jerome M. Polaha, District Judge
Augustine Breceda
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk