

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

LAWRENCE RONALD VALENTINE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 71298

FILED

AUG 16 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

Lawrence Ronald Valentine appeals from a district court order denying his July 14, 2016, motion to modify and/or correct an illegal sentence.¹ Eighth Judicial District Court, Clark County; Michael Villani, Judge.

Valentine first argues his sentence is excessive and his presentence investigation report contained factual errors and misleading statements that prejudiced him at sentencing. Valentine fails to demonstrate his sentence was facially illegal or to identify any error or misleading statement and thus fails to demonstrate the district court relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996).

¹This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g). We have reviewed all documents Valentine has filed in this matter, and we conclude no relief based upon those submissions is warranted.


Valentine next argues the district court relied on other flawed documentation and recommendations from a biased justice of the peace that prejudiced him and worked to his extreme detriment. Valentine did not raise this argument below, and we decline to consider it on appeal in the first instance. *See Rimer v. State*, 131 Nev. ___, ___ n.3, 351 P.3d 697, 713 n.3 (2015).

Finally, Valentine's claim his second amended information contains inconsistencies is outside the narrow scope of claims permissible in a motion to modify or correct an illegal sentence. *See Edwards*, 112 Nev. at 708, 918 P.2d at 324.

For the foregoing reasons, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Michael Villani, District Judge
Lawrence Ronald Valentine
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk