

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

OSCAR ART STANLEY, A/K/A
STANLEY A. OSCAR,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 72075

FILED

DEC 14 2017

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

ORDER OF AFFIRMANCE

Oscar Art Stanley appeals from an order of the district court denying his November 23, 2016, motion to modify his sentence.¹ Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.


Stanley sought to modify his sentence on the grounds that the State failed to file a notice of intent to seek habitual criminal treatment, the sentencing court failed to follow the appropriate procedures in adjudicating him a habitual criminal, and his sentences should be concurrent because his judgment of conviction did not indicate they were to run consecutively. Stanley did not allege the district court relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment, and his claims thus fell outside the narrow scope of claims permissible in a motion to modify a sentence. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Accordingly, without considering the merits of any of the


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

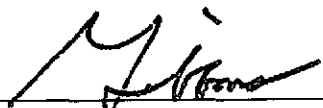
17-902637

claims raised in Stanley's motion, we conclude the district court did not err by denying the motion, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Kathleen E. Delaney, District Judge
Oscar Art Stanley
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk