

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

GLENN DARNELL DEAN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 73028

FILED

MAR 14 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Glenn Darnell Dean appeals from a district court order denying his March 10, 2017, motion to modify or correct an illegal sentence.¹ Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

Dean claimed the sentencing court failed to consider the victim's mitigating opinion as to what Dean's punishment should be. Dean's claim fell outside the narrow scope of claims permissible in a motion to modify or correct an illegal sentence. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Therefore, without considering the merits of Dean's claim, we conclude the district court did not err in denying the motion.

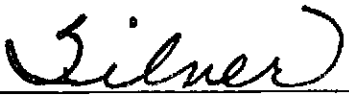
Dean also claims on appeal that the sentencing court based Dean's sentence on its own personal feelings and dislike for him and failed to articulate findings for each sentencing factor enumerated in NRS 193.165(1). These arguments were not raised below, and we decline to

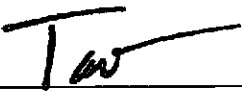
¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).


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consider them on appeal in the first instance. *See McNelton v. State*, 115 Nev. 396, 416, 990 P.2d 1263, 1276 (1999). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

, C.J.
Silver

, J.
Tao

, J.
Gibbons

cc: Hon. Kathleen E. Delaney, District Judge
Glenn Darnell Dean
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk