

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

EDWIN FITZGERALD RAINEY,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 72266

FILED

NOV 14 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY:   
DEPUTY CLERK

ORDER OF AFFIRMANCE

Edwin Fitzgerald Rainey appeals from an order of the district court denying a motion to modify sentence.<sup>1</sup> Eighth Judicial District Court, Clark County; Eric Johnson, Judge.

In his motion filed on November 28, 2016, Rainey claimed he did not commit robbery, his attorney coerced him into accepting the plea agreement, and he had difficulty understanding the legal proceedings due to physical and mental health issues. Rainey's claims fell outside the narrow scope of claims permissible in a motion to modify sentence. See *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Therefore, without considering the merits of any of the claims raised in the motion, we

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

conclude the district court did not err in denying the motion. Accordingly,  
we

ORDER the judgment of the district court AFFIRMED.<sup>2</sup>

  
\_\_\_\_\_, C.J.  
Silver

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Eric Johnson, District Judge  
Edwin Fitzgerald Rainey  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>2</sup>We have reviewed all documents Rainey has filed in this matter, and we conclude no relief based upon those submissions is warranted. To the extent Rainey has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we decline to consider them in the first instance.