

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

AARON LEE TURPENING,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 72227

**FILED**

NOV 14 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Aaron Lee Turpening appeals from an order of the district court denying a motion to modify sentence.<sup>1</sup> Eighth Judicial District Court, Clark County; William D. Kephart, Judge.

Turpening argues the district court erred by denying his motion to modify sentence. In his motion filed on October 17, 2016, Turpening claimed the State and the district court erroneously did not follow the plea agreement, he did not understand the agreement, he should not have had to participate in an interview for a new presentence investigation report (PSI), he improperly did not receive the PSI prior to the sentencing hearing, the PSI contained extraneous information, and he did not commit the charged offenses. Turpening'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


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

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merits of any of the claims raised in the motion, we conclude the district court did not err by denying the motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

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

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

cc: Hon. William D. Kephart, District Judge  
Aaron Lee Turpening  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk