

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DUANE CHARLES TIPTON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 72647

**FILED**

FEB 13 2018

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

*ORDER OF AFFIRMANCE*

Duane Charles Tipton appeals from a district court order denying the motion to modify sentence he filed on December 22, 2016.<sup>1</sup> Eighth Judicial District Court, Clark County; William D. Kephart, Judge.

In his motion, Tipton claimed there were errors in his presentence investigation report (PSI) and requested he be allowed to undergo chemical castration in exchange for a modification of his life sentence.


“[A] motion to modify a sentence is limited in scope to sentences based on mistaken assumptions about a defendant’s criminal record which work to the defendant’s extreme detriment.” *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). The district court may summarily deny a motion to modify sentence if the motion raises issues that fall outside of the very narrow scope of issues permissible in such motions. *Id.* at 708 n.2, 918 P.2d at 325 n.2.


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<sup>1</sup>This 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 conclude the district court did not err by denying Tipton's motion because he failed to identify any errors in his PSI and his request for voluntary castration fell outside the narrow scope of claims that may be raised in a motion to modify sentence. Accordingly, we

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

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

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

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

cc: Hon. William D. Kephart, District Judge  
Duane Charles Tipton  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>2</sup>We also conclude the district court did not abuse its discretion by denying Tipton's motion to appoint counsel.