


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DOUGLAS HARRY WARENBACK,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 74887

**FILED**

JUL 20 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Douglas Harry Warenback appeals from an order of the district court denying the motion to correct an illegal sentence filed on November 15, 2017.<sup>1</sup> Eighth Judicial District Court, Clark County; William D. Kephart, Judge.

In his motion, Warenback claimed his sentence was illegal because when the district court filed its amended judgment of conviction it referenced NRS 201.300(2)(b)(2) instead of NRS 201.300. This court previously determined Warenback's sentence was not illegal but ordered the district court to enter an amended judgment of conviction to fix a clerical error because the original judgment of conviction referenced NRS 201.300(a), which does not exist. *See Warenback v. State*, Docket No. 71902 (Order of Affirmance, July 12, 2017). This court's order informed the district court the judgment of conviction should reference NRS 201.300 in general. *See id.* Instead, the district court referenced the more specific portion of NRS 201.300 that applied to Warenback. Warenback claims this

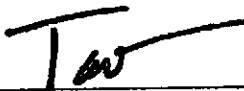
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<sup>1</sup>This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

rendered his sentence illegal. Warenback failed to demonstrate that his sentence was facially illegal or the district court lacked jurisdiction. See *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Therefore, we conclude the district court did not err by denying Warenback's 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  
Douglas Harry Warenback  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk