

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CHRISTOPHER STAN REIGHARD,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 75019

**FILED**

OCT 24 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Christopher Stan Reighard appeals from an order of the district court denying a motion for modification of sentence filed on November 6, 2017.<sup>1</sup> Eighth Judicial District Court, Clark County; Susan Johnson, Judge.

In his motion, Reighard claimed there were untrue assumptions or mistakes made in regard to his guilty plea. Reighard failed to demonstrate the district court relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). We therefore conclude the district court did not err by denying his motion,<sup>2</sup> and we


---

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

<sup>2</sup>The district court erred by denying Reighard's petition for lack of jurisdiction on the ground that the remittitur had not yet issued in Reighard's appeal from an earlier order of the district court. While a notice of appeal generally divests the district court of jurisdiction until the Nevada Supreme Court issues its remittitur, *Buffington v. State*, 110 Nev. 124, 126, 868 P.2d 643, 644 (1994), the district court retains jurisdiction to address "matters that in no way affect the appeal's merits." *Mack-Manley v. Manley*, 122 Nev. 849, 855, 138 P.3d 525, 529-30 (2006). Here, Reighard's motion to modify his sentence in no way affected the merits of Reighard's

ORDER the judgment of the district court AFFIRMED.

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

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

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

cc: Hon. Susan Johnson, District Judge  
Christopher Stan Reighard  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

---

appeal from the earlier order denying his motion for clarification of sentence. We nevertheless affirm the district court's decision for the reasons stated above. *See Wyatt v. State*, 86 Nev. 294, 298, 468 P.2d 338, 341 (1970) (holding a correct result will not be reversed simply because it is based on the wrong reason).