

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DOMONIC RONALDO MALONE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 74859

FILED

AUG 14 2018

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

ORDER OF AFFIRMANCE

Domonic Ronaldo Malone appeals from an order of the district court denying a motion to modify or correct an illegal sentence filed on November 21, 2017.¹ Eighth Judicial District Court, Clark County; Michael Villani, Judge.

In his motion, Malone claimed the deadly weapon enhancement should not have been applied because the use of a deadly weapon was a necessary element of murder and robbery. He also claimed a golf club was not a deadly weapon under the inherently dangerous weapon test. Malone's claims fell outside the narrow scope of claims permissible in a motion to modify or correct an illegal sentence. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Therefore, without considering the merits of

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

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. Michael Villani, District Judge
Domonic Ronaldo Malone
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk