

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TYWANN WATERS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 75504-COA

FILED

MAR 20 2019

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

ORDER OF AFFIRMANCE


Tywann Waters appeals from a district court order denying a motion to vacate sentence filed on March 1, 2018.¹ Eighth Judicial District Court, Clark County; Douglas Smith, Judge.

Waters claimed his sentence should be vacated because he has a verified residency and “has paid all costs and fines.” The district court properly construed the motion as a motion to modify a 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).

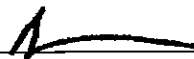
¹This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).

We conclude the district court did not err by denying Waters' motion because his claims fell outside the narrow scope of claims that may be raised in a motion to modify a sentence. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Tao


_____, J.
Gibbons


_____, J.
Bulla

cc: Hon. Douglas Smith, District Judge
Tywann Waters
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk