

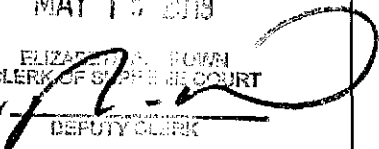
IN THE SUPREME COURT OF THE STATE OF NEVADA

THOMAS ARVEL BENSON, A/K/A  
THOMAS SKAGGS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 76129

FILED

MAY 15 2019

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of offering a false instrument for filing or recording. Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

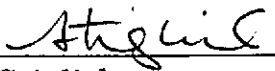
The district court sentenced appellant Thomas Benson to a term of 12 to 30 months in the Nevada State Prison but suspended the sentence and placed appellant on probation for two years. Appellant filed the instant appeal from the judgment of conviction. Several months later, the district court modified appellant's probation, imposed a 90-day term of imprisonment, and dishonorably discharged Benson from probation.


Appellant challenges the district court's decision to modify and dishonorably discharge him from probation. However, he did not designate the order modifying probation and dishonorably discharging him in the notice of appeal. Because arguments relating to the modification of and discharge from probation are not within the scope of this appeal, we decline to consider them. *See* NRAP 3(c)(1)(B) (providing that notice of appeal shall "designate the judgment, order or part thereof being appealed"); *Abdullah v. State*, 129 Nev. 86, 90-91, 294 P.3d 419, 421-22 (2013) (discussing "general rules that an appealable judgment or order that is not designated in the notice cannot be considered on appeal" and explaining the limited circumstances in which the court may infer the intent to appeal from a

judgment or order not designated in the notice of appeal). As appellant does not assert error regarding the judgment of conviction, we

ORDER the judgment of conviction AFFIRMED.

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

  
\_\_\_\_\_, J.  
Stiglich

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

cc: Hon. Kathleen E. Delaney, District Judge  
Clark County Public Defender  
Attorney General/Las Vegas  
Clark County District Attorney  
Eighth District Court Clerk