

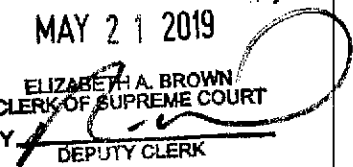
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

NICCO TATUM,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 77454-COA

FILED

MAY 21 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Nicco Tatum appeals from an order of the district court denying a motion to modify sentence.¹ Eighth Judicial District Court, Clark County; Michael Villani, Judge.

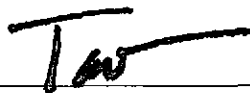
In his motion filed on August 31, 2018, Tatum claimed the presentence investigation report (PSI) improperly contained information concerning his juvenile court record. Tatum failed to demonstrate the district court relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). It was proper for the PSI to contain and for the district court to consider Tatum's juvenile court record when recommending and imposing sentence. *See NRS 62H.030(3)(b); NRS 176.145(1); Thomas v. State*, 88 Nev. 382, 385, 498 P.2d 1314, 1316 (1972).

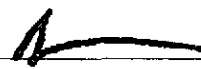
¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

Therefore, we conclude the district court did not err by denying Tatum's motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Michael Villani, District Judge
Nicco Tatum
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk