

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALVIN RANKIN A/K/A ALVIN  
RANKIN, JR. A/K/A ALVIN MORRIS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 75981

**FILED**

JUN 17 2019

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

*ORDER OF AFFIRMANCE*

This is a pro se appeal from a district court order denying appellant's motion to modify or correct an illegal sentence.<sup>1</sup> Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

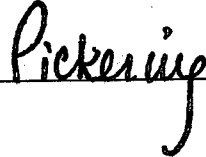
In his motion filed on March 22, 2018, appellant claimed the district court lacked jurisdiction to adjudicate him a habitual criminal because the State did not file notice of its intention to seek habitual criminal adjudication until after entry of the jury verdict. But at the relevant time, NRS 207.016(2) permitted the notice to be filed after conviction as long as the sentencing hearing was conducted at least 15 days after the notice was filed. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996); *see also* 2003 Nev. Stat., ch. 284, § 41, at 1483. Appellant further failed to demonstrate that his sentence was facially illegal or that the district court relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment. *See Edwards*, 112 Nev. at 708, 918 P.2d at 324.

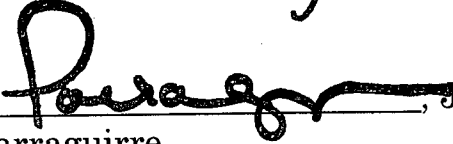
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<sup>1</sup>Having considered the pro se brief filed by appellant, we conclude that a response from the State is not necessary. NRAP 46A(c). This appeal has been submitted for decision based on the pro se brief and the record. *See* NRAP 34(f)(3).

Therefore, we conclude that the district court did not err in denying appellant's motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Cadish

cc: Hon. Kathleen E. Delaney, District Judge  
Alvin Rankin, Jr.  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk