

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

PERRY PINCKNEY, A/K/A PINCKNEY  
PERRY,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 73495

FILED

MAY 23 2018


ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK


ORDER OF AFFIRMANCE

Perry Pinckney appeals from an order of the district court denying a motion to modify sentence.<sup>1</sup> Eighth Judicial District Court, Clark County; Michael Villani, Judge.

In his motion filed on May 24, 2017, Pinckney claimed his trial counsel was ineffective for failing to advise the trial-level court of Pinckney's mental health issues. Pinckney's claim 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 merit of the claim raised, 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

<sup>1</sup>This 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).

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