

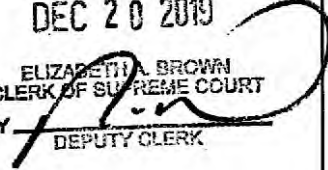
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

FLAVIO MORENO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 76951-COA

**FILED**

DEC 20 2019

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Flavio Moreno appeals from an order of the district court denying a motion to correct an illegal sentence. Eighth Judicial District Court, Clark County; Stefany Miley, Judge.


In his motion filed on July 2, 2018, Moreno claimed the sentencing court improperly adjudicated him as a habitual criminal and sentenced him under the small habitual criminal enhancement for two counts when his crimes were part of one continuous crime spree. Moreno also contended he was improperly sentenced in absentia, he did not have sufficient time to review the presentence investigation report, and his counsel did not communicate with him. Moreno's claims fell outside the narrow scope of claims permissible in a motion to correct an illegal sentence. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Therefore, without considering the merits of any of the claims raised in the

motion, we conclude the district court did not err by denying the motion.

Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Stefany Miley, District Judge  
Flavio Moreno  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk