

IN THE SUPREME COURT OF THE STATE OF NEVADA

GERALD JEROME POLK,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 80239

FILED

JUL 24 2020

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

ORDER OF AFFIRMANCE

This is an appeal from a district court order denying appellant's motion for modification of sentence. Eighth Judicial District Court, Clark County; Michael Villani, Judge.

Appellant Gerald Jerome Polk filed a motion for modification of sentence, which the district court denied. Having reviewed the record on appeal, we affirm, as Polk is not entitled to relief. "[A] motion to modify a sentence is limited in scope to sentences based on mistaken assumptions about a defendant's criminal record which work to the defendant's extreme detriment." *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Here, as the district court noted, Polk failed to state any reason, factual or legal, to support his motion. As a result, Polk failed to demonstrate that the district court relied upon a materially untrue assumption or mistake of

