

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KEVIN DEVON SUTTON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 80504-COA

FILED

OCT 28 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Kevin Devon Sutton appeals from an order of the district court denying a motion to correct an illegal sentence and vacate judgment filed on November 5, 2019. Eighth Judicial District Court, Clark County; Joseph Hardy, Jr., Judge.

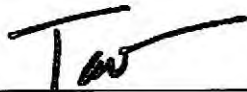
In his motion, Sutton claimed the district court erred by imposing a sentence for the deadly weapon enhancement that was separate and equal from his sentence for his primary offense. Sutton previously raised this claim, and it was rejected by the Nevada Supreme Court. See *Sutton v. State*, Docket No. 59378 (Order of Affirmance, June 14, 2012). Thus, this claim was barred by the doctrine of law of the case, which cannot be avoided by a more detailed and precisely focused argument. See *Hall v. State*, 91 Nev. 314, 315-16, 535 P.2d 797, 798-99 (1975). Therefore, we conclude the district court did not err by denying Sutton's claim.

On appeal, Sutton claims the district court erred by holding a hearing regarding his motion prior to his having received the State's response to his motion. Further, he claims the district court never provided him with a copy of the order denying his motion. Sutton fails to demonstrate how these alleged errors affected the district court's decision or his ability

to challenge the district court's order on appeal. See NRS 178.598 ("Any error, defect, irregularity or variance which does not affect substantial rights shall be disregarded."). Therefore, Sutton fails to demonstrate he is entitled to relief based on these claims. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Joseph Hardy, Jr., District Judge
Kevin Devon Sutton
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk