

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ALEXANDER BARRETT HANKINS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 81031-COA

FILED

FEB 12 2021

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

ORDER OF AFFIRMANCE

Alexander Barrett Hankins appeals from an order of the district court denying a motion to modify and/or correct an illegal sentence filed on March 23, 2020. Second Judicial District Court, Washoe County; Barry L. Breslow, Judge.

Hankins claimed the sentencing court lacked the authority to sentence him to a category B felony for grand larceny of a motor vehicle, committed in 2015, because the State failed to prove the value of the vehicle was \$3,500 or more. Hankins pleaded guilty to grand larceny of a motor vehicle valued at \$3,500 or more.

Hankins' claim was a challenge to the validity of his conviction. However, such a claim was outside the scope of a motion to correct an illegal sentence. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996) (“[The] motion cannot . . . be used as a vehicle for challenging the validity of a judgment of conviction.”). And Hankins' claim was outside the scope of a motion to modify sentence, because he did not contend that the district court

relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment. *See id.* Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Barry L. Breslow, District Judge
Alexander Barrett Hankins
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk