

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CARLOS SERGIO VARGAS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 82048-COA

FILED

APR 16 2021

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

ORDER OF AFFIRMANCE

Carlos Sergio Vargas appeals from an order of the district court denying a motion to correct illegal sentence filed on August 24, 2020. Eighth Judicial District Court, Clark County; Tierra Danielle Jones, Judge.


In his motion, Vargas claimed the deadly weapon enhancement to his robbery conviction violates the Double Jeopardy Clause, the order that Vargas and his codefendant are jointly and severally liable for payment of assessments and fees is unconstitutional, the district court should order the Nevada Department of Corrections to comply with an order regarding Vargas's status, and his sentence for the deadly weapon enhancement violated the separation of powers doctrine. Vargas'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.


On appeal, Vargas contends the district court erred by not allowing him to participate in the hearing on this matter. He also seeks an order directing the Clerk of the Eighth Judicial District Court as to how it should organize filed documents. Vargas has not demonstrated any error

in the above matters, and even if he had, he has not demonstrated they affected his substantial rights. We therefore conclude he is not entitled to relief in these matters. *See* NRS 178.598 (“Any error, defect, irregularity or variance which does not affect substantial rights shall be disregarded.”). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Tierra Danielle Jones, District Judge
Carlos Sergio Vargas
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk