

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JARAMIE DEAN WOMACK,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 81785-COA

FILED

JUN 28 2021

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

ORDER OF AFFIRMANCE


Jaramie Dean Womack appeals from a district court order denying a motion to correct illegal sentence filed on July 20, 2020. Eighth Judicial District Court, Clark County; Tierra Danielle Jones, Judge.

In his motion, Womack claimed the recent amendments to the habitual criminal statute should be applied to him retroactively. Womack's claim 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). On appeal, Womack argues the district court violated his right to due process because the district court's order was based on the State's untimely filed pleading and he was deprived of his ability to file a reply. As Womack's claim in his motion was outside the scope of permissible claims, Womack has not demonstrated any alleged procedural error affected his substantial rights. *See NRS 178.598*. Therefore, without considering

the merits of the claim raised in the motion, we conclude the district court did not err by denying the motion, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Tierra Danielle Jones, District Judge
Jaramie Dean Womack
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk