

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

BENNETT GRIMES,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 83088-COA

**FILED**

**OCT 13 2021**

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

*ORDER OF AFFIRMANCE*

Bennett Grimes appeals from an order of the district court denying a motion to modify and/or correct an illegal sentence filed on March 9, 2021. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

In his motion, Grimes claimed that his convictions violated his right against double jeopardy. Grimes' claims fell outside the narrow scope of claims permissible in a motion to modify or 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. Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>1</sup>

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

<sup>1</sup>To the extent Grimes attempts to present new claims on appeal, we decline to consider them in the first instance. *See McNelton v. State*, 115 Nev. 396, 416, 990 P.2d 1263, 1276 (1999).

cc: Hon. Michelle Leavitt, District Judge  
Bennett Grimes  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk