


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

OSCAR ART STANLEY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83420-COA

FILED

JAN 26 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Oscar Art Stanley appeals from an order of the district court denying a motion to modify or correct an illegal sentence filed on June 28, 2021, a motion for the appointment of counsel filed on May 25, 2021, and a motion to stop restitution filed on May 13, 2021. Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

Stanley argues that the district court erred by denying his motion to modify or correct an illegal sentence. In his motion, Stanley claimed the sentencing court violated his equal protection rights by sentencing him pursuant to the habitual criminal enhancement without first imposing sentence for his primary offenses. Stanley's claim 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 the claim 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.¹


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Kathleen E. Delaney, District Judge
Oscar Art Stanley
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

¹We conclude the district court did not err by denying Stanley's motion for the appointment of counsel and his motion to stop restitution.