

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

EDWARD LAHNELL LONDON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83011-COA

FILED

DEC 29 2021

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

ORDER OF AFFIRMANCE

Edward Lahnell London appeals from an order of the district court denying a motion for modification of sentence filed on April 15, 2021. Eighth Judicial District Court, Clark County; Jasmin D. Lilly-Spells, Judge.

London argues the district court erred by denying his motion without first conducting an evidentiary hearing. In his motion, London claimed that the presentence investigation report (PSI) improperly stated he had previously been convicted of a felony offense and sentenced to serve a prison term when he was actually a juvenile when he committed that offense. London also asserted that the PSI improperly stated he had previously been placed into the custody of the California Youth Authority. “[A] motion to modify a sentence is limited in scope to sentences based on mistaken assumptions about a defendant’s criminal record which work to the defendant’s extreme detriment.” *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996).

The record in this matter demonstrated that the sentencing court focused on the nature of London’s crimes at issue in this matter when it imposed sentence. The sentencing court made no reference as to whether London had previously been convicted of a felony, served a prison term, or

had been placed in the custody of the California Youth Authority. Therefore, London failed to demonstrate that, even if there were errors in the PSI, the sentencing court relied on them or they worked to his extreme detriment. Accordingly, we conclude the district court did not err by denying London's motion without conducting an evidentiary hearing, *see Hargrove v. State*, 100 Nev. 498, 502-03, 686 P.2d 222, 225 (1984), and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Jasmin D. Lilly-Spells, District Judge
Edward Lahnell London
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk