

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JUSTIN ALEXANDER RASHAD
LARKINS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83150-COA

FILED

APR 13 2022

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

ORDER OF AFFIRMANCE

Justin Alexander Rashad Larkins appeals from an order of the district court denying a motion for modification of sentence filed on April 27, 2021. Eighth Judicial District Court, Clark County; Tierra Danielle Jones, Judge.

Larkins claimed that an error in his presentence investigation report (PSI) worked to his extreme detriment. “[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).


Larkins alleged that the PSI relied on by the sentencing court lacked specific details of the instant offense. Larkins stipulated to the sentence he received and agreed to use the PSI from a prior case. Larkins thus failed to demonstrate there was an error in the PSI or that the sentencing court relied on mistaken assumptions about his criminal record that worked to his extreme detriment. Therefore, we conclude the district court did not err by denying this claim.

Larkins also raised claims challenging the validity of his judgment of conviction and sentence. These claims were outside the scope

of claims permissible in a motion to modify or correct an illegal sentence. *See id.* Therefore, without considering the merits of these claims, we conclude the district court did not err by denying them. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Tierra Danielle Jones, District Judge
Justin Alexander Rashad Larkins
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk