

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

VALENTINA MONEE KNIGHT,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 83534-COA

FILED

MAY 05 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER OF AFFIRMANCE

Valentina Monee Knight appeals from an order of the district court denying a motion to correct an illegal sentence filed on June 2, 2021. Eighth Judicial District Court, Clark County; Monica Trujillo, Judge.

Knight argues the district court erred by denying her claim that she was improperly charged with burglary. Knight claims that, based on the amount of restitution ordered in her case, she only went into the commercial business with the intent to commit petit larceny, which did not constitute a burglary under former NRS 205.060(5) (2013). She also argues counsel was ineffective for causing her to plead guilty to this charge.

A motion to correct an illegal sentence provides a means to challenge the facial legality of a sentence. *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). However, it “presupposes a valid conviction.” *Id.* (quotation marks omitted). Thus, it cannot “be used as a vehicle for challenging the validity of a judgment of conviction or sentence based on alleged errors occurring at trial or sentencing.” *Id.* Because Knight challenged an alleged error that occurred prior to sentencing and not the legality of her sentence, her claim was outside the narrow scope of claims permissible to be raised in a motion to correct an illegal sentence.

Therefore, without considering the merits of Knight's claims, 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. Monica Trujillo, District Judge  
Valentina Monee Knight  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk