

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

GREGORY DELLO MORGAN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 84898-COA

**FILED**

NOV 23 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF AFFIRMANCE*


Gregory Dello Morgan appeals from an order of the district court denying a motion for modification and/or restructure of sentence filed on April 20, 2022. Eighth Judicial District Court, Clark County; Christy L. Craig, Judge.

Morgan argues the district court erred by denying his motion for modification and/or restructure of sentence. In his motion, Morgan claimed that the Nevada Department of Corrections (NDOC) erroneously classified his offenses as violent crimes and, thus, NDOC would not allow him to enroll in a specific prison program. Morgan requested that the district court change the wording of his convictions from “robbery” to “burglary” so that he could enroll in the program or, alternatively, that the district court order NDOC to enroll him in the program.

Morgan’s claims fell outside the narrow scope of claims permissible in a motion to modify sentence. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996) (stating “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”). 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.

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

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

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

cc: Hon. Christy L. Craig, District Judge  
Gregory Dello Morgan  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk