

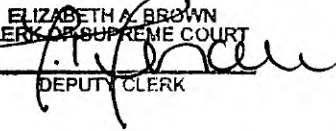
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

SALLY DORIAN VILLAVERDE,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 85028-COA

FILED

DEC 22 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Sally Dorian Villaverde appeals from an order of the district court denying a motion to correct an illegal sentence. Eighth Judicial District Court, Clark County; Tierra Danielle Jones, Judge.

First, Villaverde argues the district court erred by denying his May 26, 2022, motion. In his motion, Villaverde claimed that the judgment of conviction improperly imposed restitution in uncertain terms. A motion to correct an illegal sentence may only challenge the facial legality of the sentence: either the district court was without jurisdiction to impose a sentence or the sentence was imposed in excess of the statutory maximum. *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996).


Villaverde did not allege that the sentencing court was without jurisdiction to impose a sentence or that his sentence was imposed in excess of the statutory maximum. Thus, Villaverde's claim was not within the scope of a motion to correct an illegal sentence. Accordingly, without considering the merits of Villaverde's claim, we conclude that the district court did not err by denying the motion.

Second, Villaverde argues the district court's order fails to provide sufficient factual findings and conclusions of law in support of its

decision to deny his motion. The district court's order denying the motion contains sufficient information to permit this court to appropriately review its decision on appeal. Moreover, as previously discussed, the district court properly denied Villaverde's motion. Therefore, any failure to include additional findings or conclusions in the order denying the motion was harmless. See NRS 178.598 ("Any error, defect, irregularity or variance which does not affect substantial rights shall be disregarded."). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

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

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

cc: Hon. Tierra Danielle Jones, District Judge  
Sally Dorian Villaverde  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk