

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MARCUS SHEREEF MCNEAL,
Appellant,
vs.
JERRY HOWELL, WARDEN,
Respondent.

No. 85035-COA

FILED

APR 06 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Marcus Shereef McNeal appeals from an order of the district court denying a motion to modify or correct an illegal sentence filed on March 11, 2022. Eighth Judicial District Court, Clark County; Crystal Eller, Judge.


In his motion, McNeal claimed his trial was “plagued by structural errors,” the State could not charge him with attempted murder because it required citing to more than one statute, and NRS 193.169 makes NRS 193.165 null and void. McNeal failed to demonstrate the district court relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment. McNeal also failed to demonstrate that his sentence was facially illegal or the district court lacked jurisdiction. Therefore, we conclude the district court did not err by denying McNeal’s

motion. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996).

Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Crystal Eller, District Judge
Marcus Shereef McNeal
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk