

IN THE SUPREME COURT OF THE STATE OF NEVADA

JUSTIN ODELL LANGFORD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 85375

FILED

APR 21 2023

ELIZABETH A BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a pro se appeal from a district court order denying appellant Justin Langford's motion to correct an illegal sentence.¹ Eighth Judicial District Court, Clark County; Carli Lynn Kierny, Judge.


Langford argues that the criminal information included charges that were not contained in the justice court's order binding him over for trial, and the district court therefore lacked jurisdiction. A motion to correct an illegal sentence may address "only the facial legality of a sentence"—i.e., that the district court lacked 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). Because a motion to correct an illegal sentence "presupposes a valid conviction," it may not "be used to challenge alleged errors in proceedings that occur prior to the imposition of sentence." *Id.* (internal quotation marks omitted).

Langford's claims fell outside the narrow scope of claims permissible in a motion to correct an illegal sentence because they did not

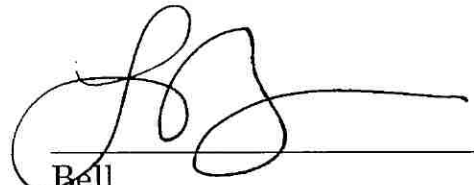
¹Having considered the pro se brief filed by Langford, we conclude that a response is not necessary. NRAP 46A(c). This appeal therefore has been submitted for decision based on the pro se brief and the record. See NRAP 34(f)(3).

implicate the jurisdiction of the district court or the legality of his sentence. See Nev. Const. art. 6, § 6(1); *Landreth v. Malik*, 127 Nev. 175, 183, 251 P.3d 163, 168 (2011) (“Subject matter jurisdiction is the court’s authority to render a judgment in a particular category of case.” (internal quotation marks omitted)). Rather, his claims challenged alleged errors in proceedings that occurred before he was sentenced. Accordingly, we conclude the district court did not err by denying the motion, and we

ORDER the judgment of the district court AFFIRMED.

 _____, C.J.
Stiglich

 _____, J.
Lee

 _____, J.
Bell

cc: Hon. Carli Lynn Kierny, District Judge
Justin Odell Langford
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk