

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DESHAWN ROBINSON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 87407-COA

FILED
AUG 01 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Deshawn Robinson appeals from a district court order denying a motion to modify or correct an illegal sentence filed on September 6, 2023. Eighth Judicial District Court, Clark County; Carli Lynn Kierny, Judge.

In his motion, Robinson claimed that the State had insufficient evidence to demonstrate that he committed robbery with the use of a deadly weapon and conspiracy to commit robbery. “[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.” *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). 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. *Id.* The district court may summarily deny a motion to modify or correct an illegal sentence if the motion raises issues that fall outside of the very narrow scope of issues permissible in such motions. *Id.* at 708 n.2, 918 P.2d at 325 n.2.

Without considering the merits of Robinson’s claims, we conclude they fall outside the narrow scope of claims permissible in a motion

to modify or correct an illegal sentence. Therefore, we conclude the district court did not err by denying Robinson's motion, and we

ORDER the judgment of the district court AFFIRMED.¹


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

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

¹In his notice of appeal, Robinson appears to argue that the State confessed to error by not responding to his motion. However, the State filed a response on September 12, 2023. Therefore, Robinson is not entitled to relief on this claim.