

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOSHUA MCELZIE SIMS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 88685-COA

FILED

APR 09 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK


ORDER OF AFFIRMANCE

Joshua McElzie Sims appeals from a district court order denying a motion to correct an illegal sentence filed on April 15, 2024. Eighth Judicial District Court, Clark County; Christy L. Craig, Judge.

In his motion, Sims argued the district court lacked jurisdiction to modify his sentence from two concurrent terms of one to five years in prison to two consecutive terms of one to five years in prison. He claimed he had already begun serving his sentence when the district court entered the amended judgment of conviction and thus the district court lacked jurisdiction to amend his sentence. A judgment of conviction may be amended at any time to correct a clerical error. NRS 176.565. Here, the parties stipulated Sims would be sentenced to two consecutive terms of one to five years in prison. Further, the district court orally pronounced at the sentencing hearing it was imposing a sentence of two consecutive terms of one to five years in prison. Thus, the original judgment of conviction contained a clerical error when it provided the terms were to run concurrent, and the district court did not lack jurisdiction to amend the judgment of conviction based on this clerical error. We conclude the district

court did not err by denying the motion to correct an illegal sentence, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

cc: Hon. Christy L. Craig, District Judge
Joshua McElzie Sims
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk