

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JONATHAN WAYNE MUNDO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 89880-COA

FILED

JUL 30 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *Elaine*
DEPUTY CLERK

ORDER OF AFFIRMANCE

Jonathan Wayne Mundo appeals from a district court order denying a motion to modify sentence filed on November 20, 2024. Eighth Judicial District Court, Clark County; Eric Johnson, Judge.

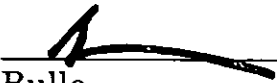
Mundo argues the district court erred by denying three claims raised in his motion to modify sentence: (1) the presentence investigation report (PSI) incorrectly stated he had been incarcerated seven times but he had only been incarcerated four times; (2) the PSI incorrectly stated the value of the stolen goods was \$303,000 but two police reports stated the value was only \$88,000; and (3) the offense synopsis omitted the fact that Mundo told the victims he was not going to hurt them, but the police report and victims' statements reflect this.¹ "[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).


¹To the extent Mundo raises additional claims on appeal in support of his motion that were not raised below, we decline to consider them for the first time on appeal. *See State v. Wade*, 105 Nev. 206, 209 n.3, 772 P.2d 1291, 1293 n.3 (1989).


We review a district court order denying a motion to modify for an abuse of discretion. *Cf. Martinez-Garcia v. State*, 141 Nev., Adv. Op. 16, 566 P.3d 1112, 1114 (2025) (reviewing the denial of a motion to correct an illegal sentence for an abuse of discretion); *see also State v. Eighth Jud. Dist. Ct. (Brown)*, 141 Nev., Adv. Op. 27, 569 P.3d 637, 640 (2025) (analogizing motions to correct an illegal sentence to motions to modify a sentence in terms of the right to appeal and likening both to motions for a new trial).

The district court found that the alleged errors did not work to Mundo's extreme detriment. The record supports the findings of the district court. At sentencing, the district court was primarily concerned with the effect of the crime on the victims and the fact that this was Mundo's third jewelry store robbery. Thus, we conclude that the district court did not abuse its discretion by denying Mundo's motion, and we

ORDER the judgment of the district court AFFIRMED.

 _____, C.J.
Bulla

 _____, J.
Gibbons

 _____, J.
Westbrook

cc: Hon. Eric Johnson, District Judge
Jonathan Wayne Mundo
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk