

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBTRAVION GENTRELL LEE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 91406

FILED

FEB 20 2026

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of robbery with the use of a deadly weapon and murder with the use of a deadly weapon. Eighth Judicial District Court, Clark County; Jacqueline M. Bluth, Judge.

Appellant Robtravion Gentrell Lee pleaded guilty to robbery with the use of a deadly weapon and murder with the use of a deadly weapon. In his plea agreement, Lee waived his "right to appeal the conviction or resulting sentence" and acknowledged that "I understand this means I am unconditionally waiving my right to a direct appeal of this prosecution, conviction, or any aspect of the resulting sentence, including any challenge based upon reasonable constitutional . . . or other grounds." The district court sentenced Lee to an aggregate total sentence of life with a minimum parole eligibility of 21 years.

The State moved to dismiss this appeal. Lee filed an opposition and the State replied. The State argues this appeal should be dismissed because it is precluded by the appeal waiver contained in the guilty plea agreement. Lee does not dispute the validity of the waiver. Instead, Lee argues plainly that the district court ordered him to serve an illegal

sentence that does not comply with sentencing statutes and is unconstitutional.

A defendant's knowing and voluntary waiver in a plea agreement of his appellate rights is generally valid and enforceable. See *Burns v. State*, 137 Nev. 494, 499-500, 495 P.3d 1091, 1099-1100 (2021) (enforcing waiver unless it would cause a "miscarriage of justice"); see also *Aldape v. State*, 139 Nev. 388, 389, 535 P.3d 1184, 1188 (2023) (discussing the criteria used to evaluate an appeal waiver in a plea agreement). Though a "court may correct an illegal sentence at any time." NRS 176.555, the proper vehicle for contesting an illegal sentence is through a motion to the district court. *Edwards v. State*, 112 Nev. 704, 707-08, 918 P.2d 321, 324 (1996). Further, a motion to correct an illegal sentence presupposes a valid conviction and cannot be used to challenge alleged errors occurring at trial or during sentencing. *Id.* at 708, 918 P.2d at 324.

Lee concedes the validity of his appeal waiver and argues in his opposition that the district court imposed an illegal sentence but does not demonstrate that he has sought the remedy available to him pursuant to *Edwards*. Accordingly, we grant the State's motion and

ORDER this appeal DISMISSED.¹

Stiglich, J.
Stiglich

Cadish, J.
Cadish

Lee, J.
Lee

¹Respondent's motion to extend time to file the fast track answering brief is denied as moot.

cc: Hon. Jacqueline M. Bluth, District Judge
Special Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk