

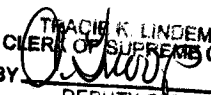
IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES WYDEVEN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 56286

FILED

DEC 10 2010

THACH K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

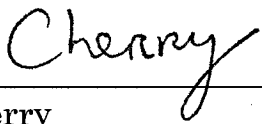
This is an appeal from a district court order denying appellant James Wydeven's motion to strike lifetime supervision requirements/motion to correct an illegal sentence. Eighth Judicial District Court, Clark County; Doug Smith, Judge.

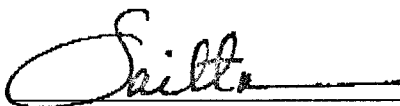
Wydeven contends that the district court erred by denying his motion to correct an illegal sentence. Wydeven did not argue that the special sentence of sentence of lifetime supervision was improperly imposed; rather, he challenged his conditions of lifetime supervision, arguing that they violate the Ex Post Facto Clause, the Double Jeopardy Clause, and the Contracts Clause of the Nevada and United States Constitutions, as well as due process and the "prohibition against vague and ambiguous laws under the U.S. Constitution."

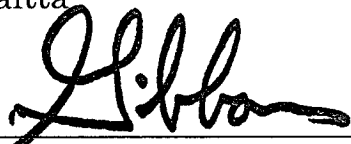
We conclude that the district court did not err in denying Wydeven's motion to correct illegal sentence because Wydeven's claim fell outside the narrow scope of claims permitted in a motion to correct an illegal sentence. See Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996) (explaining that 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). To the extent the motion was a motion to strike lifetime supervision requirements, no statute or court rule permits an appeal from such an order and we therefore lack jurisdiction to consider the denial of that motion on appeal. Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Doug Smith, District Judge
Attorney General/Carson City
Clark County District Attorney
Robert M. Draskovich, Chtd.
Eighth District Court Clerk