

IN THE SUPREME COURT OF THE STATE OF NEVADA

KENWON MONTGOMERY A/K/A
KENWON MONGOMERY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 62016

FILED

JUN 13 2013

TRAGIE K. LINDEMAN
CLERK OF SUPREME COURT
BY Angela
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying a motion to modify sentence.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.

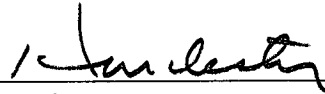
In his motion filed on September 10, 2012, appellant claimed that his sentence should be modified because he received two consecutive sentences of 4 to 10 years in prison instead of one sentence of 8 to 20 years. Appellant failed to demonstrate that the district court relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Further, appellant raised this claim in a previous motion to modify and this court concluded he failed to demonstrate that his sentence should be modified. *Montgomery v. State*, Docket No. 59374 (Order of Affirmance, March 7, 2012). Therefore, this claim was barred by

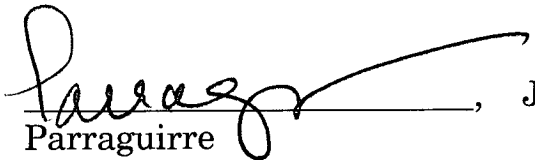
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

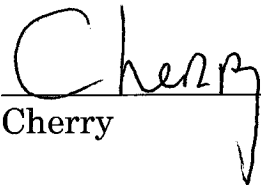
the doctrine of law of the case, *Hall v. State*, 91 Nev. 314, 315-16, 535 P.2d 797, 798-99 (1975), and the district court did not err in denying this claim.

Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Cherry

cc: Hon. Linda Marie Bell, District Judge
Kenwon Montgomery
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk