

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOHN HENRY GUMM,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 70580

FILED

MAR 23 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

Appellant John Henry Gumm appeals from a district court order denying the motion for reconsideration and modification of sentence he filed on April 1, 2016.¹ Eighth Judicial District Court, Clark County; Michael Villani, Judge.

We lack jurisdiction to review the district court's decision to deny reconsideration, *see Phelps v. State*, 111 Nev. 1021, 1022-23, 900 P.2d 344, 344-45 (1995), and Gumm's claim he was deprived of effective assistance of counsel during his probation revocation hearing falls outside the narrow scope of claims permissible in a motion to modify sentence, *see*


¹This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).

Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996).

Accordingly, we conclude Gumm is not entitled to relief, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Michael Villani, District Judge
John Henry Gumm
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk