

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JAREAL EDWARDS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 73115

FILED

JUL 17 2018

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

ORDER OF AFFIRMANCE

Jareal Edwards appeals from an order of the district court denying the motion to modify or correct an illegal sentence filed on March 8, 2017.¹ Eighth Judicial District Court, Clark County; Carolyn Ellsworth, Judge.

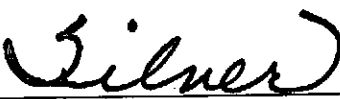
In his motion, Edwards claimed the district court failed to state on the record why it was imposing a sentence of 48 to 120 months for the deadly weapon enhancement and he has changed his life for the better since being in prison. Edwards' claims fell outside the narrow scope of claims permissible in a motion to modify or correct an illegal sentence. See *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Therefore, without considering the merits of these claims, we conclude the district court did not err by denying them.


Edwards also claimed his presentence investigation report (PSI) erroneously stated he was in a gang. Edwards failed to demonstrate the district court relied on mistaken assumptions regarding his criminal

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).

record that worked to his extreme detriment. *See id.* Even assuming the PSI erroneously stated Edwards was in a gang, he failed to demonstrate this error worked to his extreme detriment. The district court stated at sentencing it had reviewed the nature of the case, Edwards' prior record, his age, and the PSI when determining what sentence to impose. Therefore, the potential error in the PSI was only one factor considered by the district court. Further, we note in the PSI it states Edwards denied being a member of a gang, and this was also considered by the district court. Therefore, we conclude the district court did not err by denying Edwards' motion, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Carolyn Ellsworth, District Judge
Jareal Edwards
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk