

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN EDWARD CANO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 77163

FILED

MAY 15 1999

ELIZABETH A. ADWIN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

This is a pro se appeal from a district court order denying a motion to modify sentence.<sup>1</sup> Eighth Judicial District Court, Clark County; Jerry A. Wiese, Judge.


In his motion, appellant claimed that the presentence investigation report erroneously suggested his crime involved violence and the amended judgment of conviction incorrectly states the minimum term to be 19 months. We conclude that the district court did not err in denying the motion because 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's claim regarding the minimum

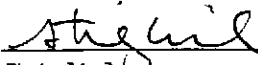
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<sup>1</sup>Having considered the pro se brief filed by appellant, we conclude that a response is not necessary. NRAP 46A(c). This appeal therefore has been submitted for decision based on the pro se brief and the record. *See NRAP 34(f)(3)*.

term set forth in the amended judgment of conviction fell outside the scope of claims permissible in a motion to modify sentence. *Id.* Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Stiglich

  
\_\_\_\_\_, J.  
Silver

cc: Hon. Jerry A. Wiese, District Judge  
Steven Edward Cano  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk