

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ADDISON JOSEPH HART,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 78212-COA

**FILED**

JAN 14 2020

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

*ORDER OF AFFIRMANCE*

Addison Joseph Hart appeals from an order of the district court denying a “motion to conform sentence with minutes” filed on January 4, 2019. Eighth Judicial District Court, Clark County; Jerry A. Wiese, Judge.

In his motion, Hart argued that his judgment of conviction should be amended to reflect that he was not convicted of a sex offense, and therefore, he does not have to register as a sex offender.<sup>1</sup> Given the nature of the relief requested, the district court construed Hart’s motion to be a motion to modify or correct an illegal sentence. We conclude the district court did not err by construing Hart’s motion as such. Hart failed to demonstrate 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). He also failed to

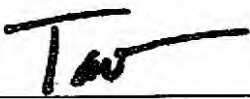
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<sup>1</sup>According to Hart, since he discharged his sentence, he has been required to register as a tier III offender.

demonstrate that his sentence was facially illegal or the district court lacked jurisdiction. *See id.* Therefore, we conclude the district court did not err by denying Hart's motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>2</sup>

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

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Jerry A. Wiese, District Judge  
Addison Joseph Hart  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>2</sup>We note that the appropriate vehicle for raising Hart's claim that he is being improperly required to register as a tier III offender is in a petition for a writ of mandamus or prohibition filed in the district court in the first instance. *See* NRS 34.160; NRS 34.320.