

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RANDY MERWIN STONE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 81656-COA

FILED

APR 12 2021

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

ORDER OF AFFIRMANCE

Randy Merwin Stone appeals from a district court order denying a motion to correct illegal sentence filed on June 19, 2020. Eighth Judicial District Court, Clark County; Michael Villani, Judge.

In his motion, Stone claimed the district court erred by arbitrarily abrogating his plea agreement. Stone's claim fell outside the narrow scope of claims permissible in a motion to correct illegal sentence. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Therefore, without considering the merits of the claim raised in the motion, we conclude the district court did not err by denying the motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

¹To the extent Stone raises new claims on appeal, we decline to consider them in the first instance. *See McNelton v. State*, 115 Nev. 396, 416, 990 P.2d 1263, 1276 (1999).

cc: Hon. Michael Villani, District Judge
Randy Merwin Stone
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk