

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JUSTIN ODELL LANGFORD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83643-COA

FILED

APR 13 2022

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

ORDER OF AFFIRMANCE

Justin Odell Langford appeals from an order of the district court denying a motion to correct illegal sentence. Eighth Judicial District Court, Clark County; Cristina D. Silva, Judge.

Langford argues the district court erred by denying his August 19, 2021, motion. In his motion, Langford first claimed that the sentencing court was without jurisdiction to impose his sentence because NRS 171.010 and NRS 171.020 do not contain enacting clauses as required by the Nevada Constitution.

Langford previously argued that the Nevada Revised Statutes are unconstitutional because they were implemented without a constitutionally required enacting clause, and the Nevada Supreme Court concluded his claim lacked merit. *See Langford v. State*, Nos. 75825, 76076, 2019 WL 1440980 (Nev. Mar. 29, 2019) (Order of Affirmance). Because Langford's underlying claim has already been reviewed and rejected by the Nevada Supreme Court, the doctrine of the law of the case prevents further litigation of it and "cannot be avoided by a more detailed and precisely

focused argument subsequently made after reflection upon the previous proceedings.” *Hall v. State*, 91 Nev. 314, 316, 535 P.2d 797, 799 (1975). Therefore, we conclude the district court did not err by denying this claim.


Langford also appeared to assert that the sentencing court was without jurisdiction to impose his sentence because the Legislature did not properly introduce a bill to create NRS 171.010 and NRS 171.020. A motion to correct an illegal sentence may only challenge the facial legality of the sentence: either the district court was without jurisdiction to impose a sentence or the sentence was imposed in excess of the statutory maximum. *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). “A motion to correct an illegal sentence presupposes a valid conviction and may not, therefore, be used to challenge alleged errors in proceedings that occur prior to the imposition of sentence.” *Id.* (internal quotation marks omitted).

Langford’s claim did not implicate the jurisdiction of the courts. See Nev. Const. art. 6, § 6; *United States v. Cotton*, 535 U.S. 625, 630 (2002) (“[T]he term jurisdiction means . . . the court’s statutory or constitutional power to adjudicate the case.” (internal quotation marks omitted)); *Landreth v. Malik*, 127 Nev. 175, 183, 251 P.3d 163, 168 (2011) (“Subject matter jurisdiction is the court’s authority to render a judgment in a particular category of case.”). In addition, Langford’s sentence is within the parameters of the relevant statute. See NRS 201.230(2). Because Langford’s claim did not implicate the jurisdiction of the courts, he failed to demonstrate the sentencing court was without jurisdiction to impose a sentence. Langford also did not demonstrate that the sentence imposed was

in excess of the statutory maximum. Accordingly, we conclude the district court did not err by denying the motion, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Cristina D. Silva, District Judge
Justin Odell Langford
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk