

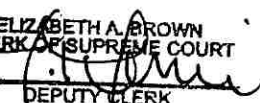
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DENNIS MARC GRIGSBY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 86119-COA

FILED

JUN 22 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Dennis Marc Grigsby appeals from an order of the district court denying a motion for modification of sentence filed on December 22, 2022. Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

In his motion, Grigsby claimed the sentencing court improperly relied on the jury's verdict because the verdict was not unanimous since two of the jurors were not polled. "[A] motion to modify a sentence is limited in scope to sentences based on mistaken assumptions about a defendant's criminal record which work to the defendant's extreme detriment." *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996).

Grigsby's claim was related to his underlying conviction and thus did not allege a mistaken assumption about his criminal record.

Therefore, we conclude the district court did not err by denying Grigsby's motion, and we

ORDER the judgment of the district court AFFIRMED.¹


_____, C.J.
Gibbons


_____, J.
Westbrook


_____, Sr.J.
Silver

cc: Hon. Kathleen E. Delaney, District Judge
Dennis Marc Grigsby
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

¹The Honorable Abbi Silver, Senior Justice, participated in the decision of this matter under a general order of assignment.