


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

EDWARD BEDROS BEDROSIAN, A/K/A
EDWARD BEDROS BEDRUSIAN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 86440-COA

FILED

OCT 23 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Edward Bedros Bedrosian appeals from an order of the district court denying a motion to correct an illegal sentence filed on March 6, 2023. Eighth Judicial District Court, Clark County; Carli Lynn Kierny, Judge.

In his motion and supporting memorandum, Bedrosian claimed the sentencing court did not have jurisdiction to impose his sentence. Bedrosian claimed that NRS 171.010 is the sole source of the sentencing court's authority to impose a sentence under the Nevada Revised Statutes and that the "statutory source law" of NRS 171.010, section 58 of the Criminal Practice Act of 1911, was repealed in 1957 as part of Senate Bill 2.

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). Bedrosian did not allege that his sentence exceeded the statutory maximum.

Further, Bedrosian failed to demonstrate that the sentencing court lacked jurisdiction to impose his sentence. While the laws in effect

prior to 1957 were repealed in 1957, they were simultaneously reenacted as the Nevada Revised Statutes in the same senate bill. See 1957 Nev. Stat., ch. 2, §§1 and 3, at 1-2. And the simultaneous repeal of NRS 171.010's source law would not have affected its validity. See 1957 Nev. Stat., ch. 2, § 4(2), at 2 ("The provisions of Nevada Revised Statutes as enacted by this act shall be considered as substituted in a continuing way for the provisions of the prior laws and statutes repealed by section 3 of this act."). Therefore, we conclude the district court did not err by denying Bedrosian's motion, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Carli Lynn Kierny, District Judge
Edward Bedros Bedrosian
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk