

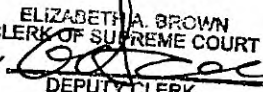
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RAYMOND OSCAR LAYMON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 86708-COA

FILED

FEB 07 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Raymond Oscar Laymon appeals from an order of the district court denying a motion to correct an illegal sentence filed on April 10, 2023. Fourth Judicial District Court, Elko County; Mason E. Simons, Judge.

In his motion, Laymon sought to vacate his sentence because he alleged the sentencing court lacked jurisdiction to impose it. Specifically, he claimed that NRS 171.010 lacks any statutory source within the Statutes of Nevada because the statutory source was repealed by Senate Bill 2 from 1957.

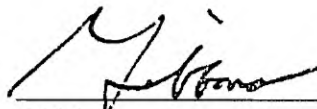
A motion to correct an illegal sentence may only challenge the facial legality of the sentence: either the district court was without jurisdiction to impose a sentence or the sentence was imposed in excess of the statutory maximum. *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). And such a motion “presupposes a valid conviction.” *Id.* (quotation marks omitted).

Although Laymon purports to challenge the district court’s jurisdiction only insofar as it pertains to his sentencing, his arguments implicate the validity of Nevada’s entire statutory scheme and, thus, the validity of his conviction. Therefore, Laymon’s claims are outside the scope

of claims allowed in a motion to correct an illegal sentence, and without considering the merits of his claims, we conclude the district court did not err by denying Laymon's motion.

On appeal, Laymon argues the district court mischaracterized his claims and the applicable legal authorities. After review, we conclude Laymon fails to demonstrate the district court mischaracterized his claims or the applicable legal authorities. Therefore, we conclude Laymon is not entitled to relief based on these claims, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Mason E. Simons, District Judge
Raymond Oscar Laymon
Attorney General/Carson City
Elko County District Attorney
Elko County Clerk