

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ANDREW LOPEZ, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 86806-COA

FILED

MAR 25 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK


ORDER OF AFFIRMANCE

Andrew Lopez, Jr., appeals from an order of the district court denying a motion to correct an illegal sentence filed on May 10, 2023. Eighth Judicial District Court, Clark County; Tierra Danielle Jones, Judge.

Lopez contends he was denied due process because he was not given sufficient time to respond to the State's opposition to his motion resulting in the district court denying his motion without considering a reply. Lopez had seven days after service to respond to the State's opposition. *See* DCR 13(4) (providing that the "moving party may serve and file reply points and authorities within 7 days after service of the answering points and authorities"). The State served Lopez via mail on May 19, 2023, and the district court decided Lopez's motion on May 31, 2023. Thus, Lopez was given the appropriate time under the rules to respond to the State's opposition, and the district court did not err by deciding Lopez's motion

without waiting for a reply.¹ Therefore, we conclude Lopez is not entitled to relief based on this claim, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Tierra Danielle Jones, District Judge
Andrew Lopez, Jr.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

¹Lopez submitted a motion for an enlargement of time to file a reply, but it was not received by the district court until May 30, 2023—after Lopez's time to file a reply had expired.