

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

EDUARDO SANTIAGO DOMINGUEZ,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 89103-COA

**FILED**

FEB 25 2025

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Eduardo Santiago Dominguez appeals from a district court order denying a motion to modify or correct an illegal sentence filed on May 24, 2024. Eighth Judicial District Court, Clark County; Eric Johnson, Judge.

In his motion, Dominguez claimed his sentence should be modified because he did not cause substantial bodily harm to the victim.<sup>1</sup> Dominguez also argues the district court erred because its order denying the motion should have contained specific findings of fact and conclusions of law. “[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). 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. *Id.* The district court may

---

<sup>1</sup>Dominguez pleaded guilty to reckless driving and performance of an act or neglect of a duty in willful or wanton disregard for the safety of persons or property resulting in substantial bodily harm or death.


summarily deny a motion to modify or correct an illegal sentence if the motion raises issues that fall outside of the very narrow scope of issues permissible in such motions. *Id.* at 708 n.2, 918 P.2d at 325 n.2.

Without considering the merits of Dominguez's claims, we conclude they fall outside the narrow scope of claims permissible in a motion to modify or correct an illegal sentence. Therefore, we conclude the district court did not err by summarily denying Dominguez's motion, and we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Bulla

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Westbrook

cc: Hon. Eric Johnson, District Judge  
Eduardo Santiago Dominguez  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk