


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JASON J. BOLDEN A/K/A JASON
JEROME BOLEN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 89677-COA

FILED

JUL 24 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Jason J. Bolden appeals from a district court order denying a motion to modify sentence filed on July 31, 2024.¹ Eighth Judicial District Court, Clark County; Susan Johnson, Judge.


In his motion, Bolden argued his sentence should be modified because there were errors in his presentence investigation report (PSI). Specifically, he claimed the PSI erroneously stated he had three prior incarcerations when he only had one. He also argued he only had 10 prior misdemeanor convictions, not 21 as listed in the PSI. “[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). We review a district court order denying a motion to modify for an abuse of discretion. *Cf. Martinez-Garcia v. State*, 141 Nev., Adv. Op. 16, 566 P.3d 1112, 1114 (2025); *see also State v. Eighth Jud. Dist. Ct. (Brown)*, 141 Nev., Adv. Op. 27, 569 P.3d 637, 640 (2025) (analogizing motions to correct an

¹The Honorable Deborah L. Westbrook did not participate in the decision in this matter.

illegal sentence to motions to modify a sentence in terms of the right to appeal and likening both to motions for a new trial).

Bolden failed to demonstrate the district court relied on mistaken assumptions regarding his criminal record that worked to his extreme detriment. The incarcerations listed were the number of times Bolden had been sentenced to a prison term and not the actual number of times he physically was sent to prison. Further, Bolden failed to support his claim that he only had 10 prior misdemeanor convictions with specific facts. The district court found that the sentencing court was concerned by Bolden's lack of amenability to supervision in the community and that the sentence imposed was not "animated" by the number of misdemeanor convictions or how many times he went to prison. Thus, the district court determined the alleged errors did not work to Bolden's extreme detriment. The record supports the decision of the district court, and we conclude the district court did not abuse its discretion by denying the motion.² Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Bulla


_____, J.
Gibbons

²On appeal, Bolden raises numerous claims that were not raised below. Because these claims were not raised below, we decline to address them on appeal in the first instance. *See State v. Wade*, 105 Nev. 206, 209 n.3, 772 P.2d 1291, 1293 n.3 (1989).

cc: Hon. Susan Johnson, District Judge
Jason J. Bolden
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk