

IN THE SUPREME COURT OF THE STATE OF NEVADA

BENNETT GRIMES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 67598

FILED

FEB 26 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order denying a motion to correct an illegal sentence. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

Appellant Bennett Grimes argues that the district court abused its discretion in denying his motion to correct an illegal sentence, pursuant to NRS 176.555, because ex post facto and due process violations rendered his sentence illegal. Without considering the merits of any claims raised in the motion, we conclude that the district court did not abuse its discretion because Grimes's claims fall outside the narrow scope of claims permissible in a motion to correct an illegal sentence. See *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996); see also *Haney v. State*, 124 Nev. 408, 411, 185 P.3d 350, 352 (2008) (reviewing a district court's decision denying a motion to correct an illegal sentence for an abuse of discretion). Specifically, Grimes does not allege facial

invalidity of the sentence and has not demonstrated that the court was without jurisdiction. Therefore, we

ORDER the judgment AFFIRMED.

Hardesty, J.
Hardesty

Saitta, J.
Saitta

Pickering, J.
Pickering

cc: Hon. Michelle Leavitt, District Judge
Clark County Public Defender
Law Offices of Gamage & Gamage
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk