

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MICHAEL LUIS COTA,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

MICHAEL LUIS COTA,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 83952-COA

FILED

AUG 10 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT

BY *[Signature]*  
DEPUTY CLERK

No. 83956-COA

*ORDER OF AFFIRMANCE*

Michael Luis Cota appeals from identical orders of the district court denying identical motions to correct an illegal sentence filed on October 12, 2021, in district court case nos. 18-CR-00116 (Docket No. 83952) and 18-CR-00084 (Docket No. 83956).<sup>1</sup> These cases were consolidated on appeal. *See* NRAP 3(b). Ninth Judicial District Court, Douglas County; Thomas W. Gregory, Judge.

In his motions, Cota claimed the State illegally charged him with “principal to grand larceny of a firearm” in district court case no. 18-CR-00084. Specifically, Cota claimed the State illegally combined two statutes, NRS 195.020 and NRS 205.226, and the district court lacked

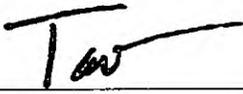
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<sup>1</sup>Each motion was titled “motion to vacate illegal sentence,” and the district court construed the motions as motions to correct an illegal sentence.

jurisdiction to “make up a charge” or to accept a plea to an illegal charge. Cota further claimed that the State asserted an illegal charge because there was a lack of evidence to suggest he had stolen the firearm or had helped someone else steal it.

Cota’s claims fell 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). Therefore, without considering the merits of any of the claims raised therein, we conclude the district court did not err by denying the motions. Accordingly, we

ORDER the judgments of the district court AFFIRMED.<sup>2</sup>

  
\_\_\_\_\_, J.  
Tao

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

cc: Hon. Thomas W. Gregory, District Judge  
Michael Luis Cota  
Attorney General/Carson City  
Douglas County District Attorney/Minden  
Douglas County Clerk

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<sup>2</sup>The Honorable Michael Gibbons did not participate in the decision in this matter.