



**EIGHTH JUDICIAL DISTRICT COURT  
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER  
200 LEWIS AVENUE, 3<sup>rd</sup> FL.  
LAS VEGAS, NEVADA 89155-1160  
(702) 671-4554

Electronically Filed  
Feb 15 2022 08:16 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Steven D. Grierson  
Clerk of the Court

Anntoinette Naumec-Miller  
Court Division Administrator

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February 15, 2022

Elizabeth A. Brown  
Clerk of the Court  
201 South Carson Street, Suite 201  
Carson City, Nevada 89701-4702

RE: STATE OF NEVADA vs. BRYAN PHILLIP BONHAM  
**S.C. CASE: 84105**  
D.C. CASE: C-15-307298-1

Dear Ms. Brown:

Pursuant to your Order Directing Entry and Transmission of Written Order, dated January 24, 2022, enclosed is a certified copy of the Order Denying Defendant's Motion to Correct Illegal Sentence filed February 11, 2022 in the above referenced case. If you have any questions regarding this matter, please do not hesitate to contact me at (702) 671-0512.

Sincerely,  
STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Heather Ungermann  
Heather Ungermann, Deputy Clerk

**ORDR**  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
JOHN AFSHAR  
Deputy District Attorney  
Nevada Bar #14408  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Respondent

DISTRICT COURT  
CLARK COUNTY, NEVADA

BRYAN BONHAM,  
#0852897

Defendant,

-vs-

THE STATE OF NEVADA,

Respondent.

CASE NO: C-15-307298-1

DEPT NO: VI

**ORDER DENYING DEFENDANT'S MOTION TO CORRECT ILLEGAL  
SENTENCE**

DATE OF HEARING: DECEMBER 27, 2021  
TIME OF HEARING: 03:00 AM

THIS MATTER having come on for hearing on the 27th day of December, 2021, the Defendant not present, represented by himself, the Respondent being represented by STEVEN B. WOLFSON, Clark County District Attorney, through JOHN AFSHAR, Deputy District Attorney, not present, based on pleadings, and good cause appearing therefore,

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1 A court may correct an illegal sentence at any time. NRS 176.555. A sentence is illegal  
2 if it is "at variance with the controlling statute, or illegal in the sense that the court goes beyond  
3 its authority by acting without jurisdiction or imposing a sentence in excess of the statutory  
4 maximum provided." Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Here,  
5 Defendant alleges that the Nevada Revised Statutes version of the statutes under which he  
6 pleaded guilty are invalid because they do not contain the enacting clause required by the NV  
7 Constitution. However, the Nevada Revised Statutes do not have the same requirements as  
8 laws of Nevada because they are not laws enacted by the legislature. Instead, the Nevada  
9 Revised Statutes are previously enacted laws which have been classified, codified, and  
10 annotated by the Legislative Counsel. See NRS 220.120. Further, the content requirements for  
11 the Nevada Revised Statutes, as laid out in NRS 220.110, do not require the enacting clause to  
12 be republished in them. Therefore, Defendant's argument is without merit. Furthermore, this  
13 Court had subject matter jurisdiction over Defendant's sentence because there is no  
14 requirement that the enacting clause must be on the charging documents. State v. Rogers, 10  
15 Nev. 250, 1875 WL 4032, 7 (1875).

16 IT IS HEREBY ORDERED that the Defendant's Motion to Correct Illegal Sentence,  
17 shall be, and it is, hereby DENIED..

18 ~~DATED this \_\_\_\_\_ day of February, 2022.~~

Dated this 11th day of February, 2022



DISTRICT COURT JUDGE

21 STEVEN B. WOLFSON  
22 Clark County District Attorney  
Nevada Bar # 001565

BCB 3A6 60D6 F097  
Jacqueline M. Bluth  
District Court Judge

kj

23 BY /s/ John Afshar  
24 JOHN AFSHAR  
25 Deputy District Attorney  
Nevada Bar #14408

February 15, 2022



CERTIFIED COPY  
ELECTRONIC SEAL (NRS 1.190(3))

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 State of Nevada

CASE NO: C-15-307298-1

7 vs

DEPT. NO. Department 6

8 Bryan Bonham  
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District  
12 Court. The foregoing Order was served via the court's electronic eFile system to all  
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 2/11/2022

15 ANITA Harrold .

harrolah@ClarkCountyNV.gov

16 Law Clerk DC 4 .

Dept4LC@clarkcountycourts.us