



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

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

Electronically Filed
Mar 09 2022 12:04 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

March 9, 2022

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

RE: STATE OF NEVADA vs. DEMARENE COLEMAN
S.C. CASE: 84292
D.C. CASE: 05C215295-1

Dear Ms. Brown:

Pursuant to your Order Directing Entry and Transmission of Written Order, dated March 3, 2022, enclosed is a certified copy of the Oder Denying Defendant's Motion for Modification of Sentence filed March 8, 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

Heather S. Smith

CLERK OF THE COURT

ORDR

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

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DEMARENE COLEMAN,
#1963947

Defendant.

CASE NO: 05C215295

DEPT NO: VI

**ORDER DENYING DEFENDANT'S MOTION FOR MODIFICATION OF
SENTENCE**

DATE OF HEARING: February 1, 2022
TIME OF HEARING: 11:00 A.M.

THIS MATTER having come on for hearing before the above-entitled Court on the 29th day of July, 2022, the Defendant not being present, IN PROPER PERSON, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through JOHN AFSHAR, Deputy District Attorney, without argument, based on the pleadings and good cause appearing therefor,

COURT ORDERED, Defendant's Motion for Modification of Sentence is DENIED. Defendant asks the Court to modify his sentence and amend his Judgment of Conviction to "reflect the Minimum-Maximum statute [of] twenty (20) to fifty (50)" years, or resentence such that he would be eligible for parole after ten (10) years. Defendant claims that he did not knowingly, intelligently, or voluntarily enter his guilty plea and he was sentenced based on

1 an agreement between the parties that he would be sentenced to "Twenty (20) to Fifty (50)
2 years." However, there is no evidence of any sort of agreement, and it is well established the
3 Court sentences under its own discretion. Defendant does not allege that his sentence was
4 based on a materially untrue assumption, Townsend v. Burke, 334 U.S. 736, 741, 68 S.Ct.
5 1252, 1255, 92 L.Ed. 1690 (1948), or that the Court has jurisdiction to modify his sentence.
6 Passanisi v. State, 108 Nev. 319, 321, 831 P.2d 1371, 1373 (1992).

7 IT IS HEREBY ORDERED that the Defendant's Motion for Modification of Sentence,
8 shall be, and it is DENIED.

9 ~~DATED this _____ day of March, 2022.~~ Dated this 8th day of March, 2022

10
11 
DISTRICT JUDGE

12 STEVEN B. WOLFSON
13 Clark County District Attorney
Nevada Bar #001565

kj

D48 D84 C5D9 3C23
Jacqueline M. Bluth
District Court Judge

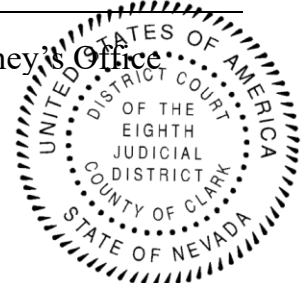
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15 BY /s/ John Afshar
16 JOHN AFSHAR
17 Deputy District Attorney
Nevada Bar #14408

18 CERTIFICATE OF SERVICE

19 I certify that on the 7th day of March, 2022, I mailed a copy of the foregoing Order to:

20 DEMARENE COLEMAN, BAC #1007335
21 SO. DESERT CORRECTIONAL CENTER
22 PO BOX 208
INDIAN SPRINGS, NV 89070

23 BY /s/ Corelle Bellamy March 9, 2022
24 Corelle Bellamy
25 Secretary for the District Attorney's Office



cnb/L5

CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 The State of Nevada vs
Demarene Coleman

CASE NO: 05C215295-1

7 DEPT. NO. Department 6

8
9 **AUTOMATED CERTIFICATE OF SERVICE**

10 Electronic service was attempted through the Eighth Judicial District Court's
11 electronic filing system, but there were no registered users on the case. The filer has been
12 notified to serve all parties by traditional means.
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