



**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  
Mar 11 2022 09:16 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Steven D. Grierson  
Clerk of the Court

Anntoinette Naumec-Miller  
Court Division Administrator

March 11, 2022

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

RE: STATE OF NEVADA vs. WILBURT HICKMAN  
**S.C. CASE: 84316**  
D.C. CASE: C-12-278699-1

Dear Ms. Brown:

Pursuant to your Order Directing Entry and Transmission of Written Order, dated March 8, 2022, enclosed is a certified copy of the Order Denying Defendant's Pro Per Motion to Modify and/or Correct Illegal Sentence filed March 10, 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  
MEGAN S. THOMSON  
Chief Deputy District Attorney  
Nevada Bar #011002  
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-

WILBURT HICKMAN,  
#0905481

Defendant.

CASE NO: C-12-278699-1

DEPT NO: XXIII

**ORDER DENYING DEFENDANT'S PRO PER MOTION TO  
MODIFY AND/OR CORRECT ILLEGAL SENTENCE**

DATE OF HEARING: JANUARY 5, 2022  
TIME OF HEARING: 12:00 P.M.

THIS MATTER having come on for hearing before the above entitled Court on the 5th day of January, 2022, the Defendant not being present, in proper person, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through MEGAN S. THOMSON, Chief Deputy District Attorney, and without argument, based on the pleadings and good cause appearing therefor,

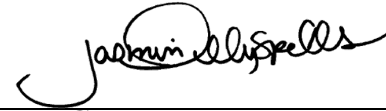
THE COURT FINDS that the imposed sentence does not violate due process. *State v. Eighth Judicial District Court*, 100 Nev. 90, 97 (1984).

THE COURT FURTHER FINDS that there is no evidence that the court based its sentence on a materially false assumption of fact which worked to the defendant's detriment. *Passanisi v. State*, 108 Nev. 318 (1992).

1 THE COURT FINDS that AB236 cannot be applied retroactively.

2 IT IS HEREBY ORDERED that the Defendant's Pro Per Motion to Modify and/or  
3 Correct Illegal Sentence, shall be, and it is DENIED as it lacks jurisdiction to modify the  
4 sentence because Defendant has already started serving the sentence. *Passanisi v. State*, 108  
5 Nev. 318, 321 (1992).

Dated this 10th day of March, 2022



6  
7 DISTRICT JUDGE

8 708 E01 651A D8CC  
9 Jasmin Lilly-Spells  
District Court Judge

10 **CERTIFICATE OF MAILING**

11 I hereby certify that service of the above and foregoing was made this \_\_\_\_ day of  
12 March, 2022, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

13  
14 WILBURT HICKMAN, BAC# 62150  
15 HIGH DESERT STATE PRISON  
16 P. O. BOX 650  
17 INDIAN SPRINGS, NV 89070

18 BY /s/ E. Goddard  
19 Secretary – District Attorney's Office  
20  
21  
22

March 11, 2022

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27  
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CERTIFIED COPY  
ELECTRONIC SEAL (NRS 1.190(3))

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 State of Nevada

CASE NO: C-12-278699-1

7 vs

DEPT. NO. Department 23

8 Wilburt Hickman  
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: 3/10/2022

15 Margaret McLetchie

maggie@nvlitigation.com

16 Alina Shell .

alina@nvlitigation.com

17 E-File .

efile@nvlitigation.com

18 Margaret McLetchie .

maggie@nvlitigation.com

28