

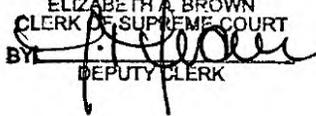
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RENARD TRUMAN POLK,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 86465-COA

FILED

DEC 14 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Renard Truman Polk appeals from an order of the district court denying a motion to correct an illegal sentence filed on January 12, 2023. Eighth Judicial District Court, Clark County; Eric Johnson, Judge.

In his motion, Polk claimed his sentence was illegal because he was not properly certified as an adult; his confession was obtained illegally; the judgment of conviction erroneously states he was convicted pursuant to a guilty plea and the district court has failed to correct this error¹; trial, appellate, and postconviction counsel were ineffective; and he was not allowed to be present at postconviction proceedings. A motion to correct an illegal sentence may only challenge the facial legality of the sentence: either the district court was without jurisdiction to impose a sentence or the sentence was imposed in excess of the statutory maximum. *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Further “[a] motion to correct an illegal sentence presupposes a valid conviction and may not, therefore, be used to challenge alleged errors in proceedings that occur prior

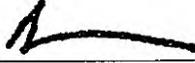
¹We note that the district court entered an amended judgment of conviction on February 9, 2005, correcting this error.

to the imposition of sentence.” *Id.* (internal quotation marks omitted). The district court may summarily deny a motion to correct an illegal sentence if the motion raises issues that fall outside of the very narrow scope of issues permissible in such motions. *Id.* at 708 n.2, 918 P.2d at 325 n.2.

Without considering the merits of Polk’s claims, we conclude they fall outside the narrow scope of claims permissible in a motion to modify or correct an illegal sentence. Therefore, we conclude the district court did not err by denying Polk’s motion, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Eric Johnson, District Judge
Renard Truman Polk
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk