

IN THE SUPREME COURT OF THE STATE OF NEVADA

TROY ALLIN SUCHANKO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54657

FILED

JUL 15 2010

FRADIE A. LINDEMAN
CLERK OF SUPREME COURT
BY [Signature]
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from an order of the district court denying appellant Troy Allin Suchanko's post-conviction petition for a writ of habeas corpus that was filed pursuant to the remedy provided in Lozada v. State, 110 Nev. 349, 359, 871 P.2d 944, 950 (1994). Eighth Judicial District Court, Clark County; David B. Barker, Judge.

Suchanko contends that (1) his sentence was based on incomplete and untrue facts about his criminal record and (2) counsel was ineffective for failing to investigate and challenge the monetary value of the stolen vehicle. Suchanko asserts that the doctrine of the law of the case should not apply because a manifest injustice occurred at sentencing. However, we conclude that these issues are barred by the doctrine of the law of the case, see Hall v. State, 91 Nev. 314, 315-16, 535 P.2d 797, 798-99 (1975), and we decline to depart from our prior holdings in this case because they are not erroneous and do not work a manifest injustice, see Clem v. State, 119 Nev. 615, 620, 81 P.3d 521, 525 (2003).

Suchanko also contends that the State failed to provide discoverable information in violation of Brady v. Maryland, 373 U.S. 83 (1963). He specifically claims that all references to the current value and

original value of the stolen vehicle were redacted from the incident report provided by the State. However, this contention was not reserved for appeal as required by NRS 174.035(3) and the district court should have denied it on this basis. Moreover, it lacks merit because Suchanko specifically pleaded guilty to possession of a stolen vehicle with a value of more than \$2,500, and he has not demonstrated that the State committed a Brady violation. See Mazzan v. Warden, 116 Nev. 48, 67, 993 P.2d 25, 37 (2000) (identifying the components of a Brady violation).

Having considered Suchanko's contentions and concluded that he is not entitled to relief, we

ORDER the judgment of the district court AFFIRMED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Hon. David B. Barker, District Judge
Kristina M. Wildeveld
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk