

IN THE SUPREME COURT OF THE STATE OF NEVADA

LEE DAVIDSON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 62561

FILED

JAN 16 2014

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY: *[Signature]*  
NEVADA CLERK

*ORDER DISMISSING APPEAL*

This is a proper person appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus.<sup>1</sup> Eighth Judicial District Court, Clark County; Jennifer P. Togliatti, Judge.

Appellant filed a proper person post-conviction petition for a writ of habeas corpus on June 7, 2010. The district court granted the petition on the ground that appellant's guilty plea was not entered knowingly and voluntarily, and the district court denied appellant's other claims in his petition. On appeal, this court concluded that the guilty plea was valid and thus reversed the district court's order as to the guilty-plea claim, but affirmed the district court's denial of the other claims in the petition. *Davidson v. State*, Docket No. 58144 (Order Affirming in Part, Reversing in Part and Remanding, January 16, 2013). Subsequently, the district court amended its order to reflect this court's ruling. Appellant

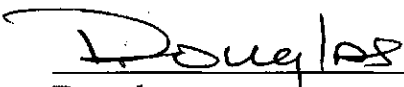
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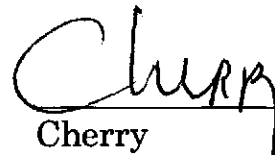
<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See *Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

has now filed an appeal of that amended order. Because this court already concluded that his petition should have been denied, and the district court's amended order merely memorialized this court's conclusions, there is no basis for appellant to appeal the amended order. Accordingly, we

ORDER this appeal DISMISSED.<sup>2</sup>

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Cherry

cc: Hon. Jennifer P. Togliatti, District Judge  
Lee Davidson  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>2</sup>We note that the district court denied this petition on remand before the remittitur issued. *See State v. Davidson*, Docket No. 58144 (Order Affirming in Part, Reversing in Part and Remanding, January 16, 2013) (remittitur issued February 12, 2013). Because the district court's amended order denying the petition merely reflected this court's instructions, we conclude that no harm occurred from the district court's action prior to the issuance of the remittitur.

In light of this court's disposition of this appeal, appellant's motion for appointment of counsel or permission to file proper person documents is denied.