

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ANTHONY D. COLLINS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 66677

FILED

FEB 24 2015

FRACIE K. LINDEMAN,
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from an order of the district court denying a petition for a writ of coram nobis.¹ Eighth Judicial District Court, Clark County; Stefany Miley, Judge.


In his September 2, 2014, petition, appellant asserted that Nevada and federal authorities violated his rights under the Interstate Agreement on Detainers. Appellant asserted that his transfer between Nevada and federal custody was improper and that he did not receive a proper pre-transfer hearing. Appellant also asserted that he was innocent because the judgment of conviction improperly stated he committed the instant offense in 1993, instead of 1992.


Appellant's claims were not properly raised in a petition for a writ of coram nobis because they were claims arising from alleged factual errors that are on the record, the claims could have been raised earlier, or

¹This 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 Luckett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

they involved legal and not factual errors. *See Trujillo v. State*, 129 Nev. ___, ___, 310 P.3d 594, 601-02 (2013). Moreover, appellant has previously litigated a petition for a writ of coram nobis, *Collins v. State*, Docket No. 39841 (Order of Affirmance, May 8, 2003), and appellant failed to demonstrate that he could not have raised his current claims in that petition or in a timely filed post-conviction petition for a writ of habeas corpus. *See Trujillo*, 129 Nev. at ___, 310 P.3d at 601-02 (explaining that it is the petitioner's burden to demonstrate that he could not have reasonably raised his claims at an earlier time). Therefore, the district court did not err in denying the petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

²We have reviewed all documents that appellant has submitted to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.

cc: Hon. Stefany Miley, District Judge
Anthony D. Collins
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk