

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ALLEN KOERSCHNER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 67512

**FILED**

JUL 14 2015

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
by *Tracie K. Lindeman*  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*


This is an appeal from an order of the district court denying appellant Allen Koerschner's motion to correct an illegal sentence. Eighth Judicial District Court, Clark County; Elissa F. Cadish, Judge.

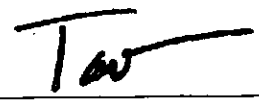
In his motion filed on January 12, 2015, Koerschner claimed the district court lacked jurisdiction over the trial and sentencing because a criminal complaint was never filed in the justice court, which is demonstrated by the lack of a file-stamp bearing the date and time the document was filed.

Koerschner raised a similar claim in his post-conviction petition for a writ of habeas corpus filed on June 9, 2009. When affirming the denial of that petition, the Nevada Supreme Court specifically concluded that Koerschner's "claim regarding subject matter jurisdiction [was] patently without merit." *Koerschner v. State*, Docket No. 54718 (Order of Affirmance, February 4, 2010) at 2 n.3. Although the criminal complaint does not have a file-stamp bearing the date and time the complaint was filed in the justice court, the complaint is signed and dated June 12, 1992, and the docket entries for the North Las Vegas Township justice court indicate the complaint was sworn to and filed on that date.

Koerschner failed to demonstrate the district court lacked jurisdiction. See *Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996); see also NRS 171.010 (establishing jurisdiction over individuals committing offenses in Nevada); NRS 171.102 (defining complaint). Therefore, we conclude the district court did not err in denying Koerschner's motion, and we

ORDER the judgment of the district court AFFIRMED.<sup>1</sup>

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Silver

cc: Hon. Elissa F. Cadish, District Judge  
Allen Koerschner  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>1</sup>We have reviewed all documents Koerschner has submitted in this matter, and we conclude no relief based upon those submissions is warranted. To the extent Koerschner has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we decline to consider them in the first instance.