

IN THE SUPREME COURT OF THE STATE OF NEVADA

LEONDRUS MCBRIDE, JR. A/K/A KEVIN
LAMONT WILSON,

No. 36588

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

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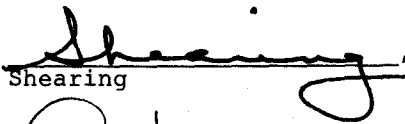
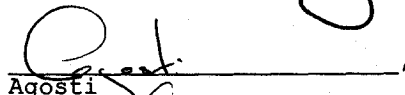
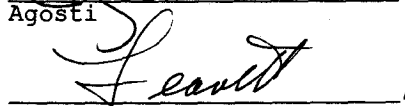
JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying appellant's "motion for extension of time to file a notice of appeal and collateral motion to vacate judgment of conviction pursuant to writ of error coram nobis."

We have reviewed the record on appeal and for the reasons stated in the attached order of the district court, we conclude that the district court properly denied appellant's motion. Therefore, briefing and oral argument are not warranted in this case.¹ Accordingly, we

ORDER the judgment of the district court AFFIRMED.

	J.
Shearing	
	J.
Agosti	
	J.
Leavitt	

cc: Hon. Steven P. Elliott, District Judge
Attorney General
Washoe County District Attorney
Leondrus McBride, Jr.
Washoe County Clerk

¹See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975), cert. denied, 423 U.S. 1077 (1976).

FILED

July 18, 2000
AMY HARVEY, Clerk

S. Bartlett

Deputy Clerk

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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

LEONDRUS McBRIDE, JR.
aka KEVIN LAMONT WILSON,

Petitioner,

vs.

Case No. CR88-2812

Dept. No. 10

STATE OF NEVADA,

Respondent.

ORDER DENYING MOTION FOR EXTENSION OF TIME
TO FILE A NOTICE OF APPEAL AND COLLATERAL
MOTION TO VACATE JUDGMENT OF CONVICTION
PURSUANT TO WRIT OF ERROR CORUM NOBIS

On July 5, 2000, petitioner filed a Motion for Extension of Time, in which he requests a 60-day extension of time to submit a "Writ of Error Corum Nobis." Petitioner also filed a Collateral Motion to Vacate Judgment of Conviction Pursuant to Writ or Error Corum Nobis. Petitioner had previously, on June 8, 2000, filed a "Motion Pursuant to Writ of Error Corum Nobis/or in the Alternative Post Conviction Statutory Provisions," which was construed by this Court as a post-conviction petition for writ of habeas corpus pursuant to NRS 34.724. By order dated June 19, 2000, the petition was dismissed as untimely.

The judgment of conviction in this case was entered against petitioner on March 28,

1 1989, and petitioner was sentenced to serve a term of eighteen months in the Nevada State Prison.
2 Petitioner completed serving his sentence and is currently serving a 360-month sentence in Texas
3 for a federal drug conviction. It appears the 1989 conviction in this case was used to enhance
4 petitioner's sentence in the federal case.

5 The Nevada Constitution provides that the district courts may issue writs of habeas
6 corpus "on petition by . . . any person who is held in actual custody in their respective districts, or
7 who has suffered a criminal conviction in their respective districts and has not completed the
8 sentence imposed pursuant to the judgment of conviction." See Jackson v. State, ___ Nev. ___,
9 973 P.2d 241, 242 (1999) (quoting Nev. Const. art. 6, § 6(1)); see also NRS 34.724(1).
10 Therefore, this Court may not entertain any post-conviction petition challenging the validity of a
11 conviction after the petitioner has completed the sentence for the challenged conviction. Id.
12 Furthermore, petitions "that are filed many years after conviction are an unreasonable burden on
13 the criminal justice system . . . [T]here must exist a time when a criminal conviction is final." See
14 Groesbeck v. Warden, 100 Nev. 259, 261 679 P.2d 1268, 1269 (1984).

15 ACCORDINGLY, IT IS HEREBY ORDERED that petitioner's Motion for
16 Extension of Time to File a Notice of Appeal and Collateral Motion to Vacate Judgment of
17 Conviction Pursuant to Writ of Error Corum Nobis are DENIED.

18 DATED this 18 day of July 2000.

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22 Steven P. Elliott
23 STEVEN P. ELLIOTT
24 District Judge
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