

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CHRISTOPHER JAMES WILLING,
Appellant,
vs.
JO GENTRY, WARDEN; AND THE
STATE OF NEVADA,
Respondents.

No. 72395

FILED

JAN 09 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from an order of the district court denying a petition for a writ of habeas corpus.¹ Fifth Judicial District Court, Nye County; Kimberly A. Wanker, Judge.


In his October 17, 2016, petition, Willing claimed he did not challenge his judgment of conviction, but rather the lawfulness of his restraint and incarceration. Willing asserted his incarceration was improper because the Nevada Revised Statutes do not contain enacting clauses and the commission that made recommendations regarding the creation of the Nevada Revised Statutes during the 1950s was not lawful.


Willing has already raised the underlying claim and this court rejected that claim. *Willing v. State*, Docket No. 68953 (Order of Affirmance, March 16, 2016). Accordingly, the underlying claim is barred by the doctrine of the law of the case, which cannot be avoided by more detailed and precisely focused arguments in subsequent filings. *See Hall v.*

¹This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).

State, 91 Nev. 314, 316, 535 P.2d 797, 799 (1975). Moreover, the record demonstrates Willing is incarcerated pursuant to his convictions for unlawful possession of a stun gun, theft, and possession of a controlled substance, and therefore, Willing did not demonstrate he is unlawfully restrained or incarcerated. As Willing failed to demonstrate he is unlawfully committed, detained, confined, or restrained, we conclude the district court did not err by denying Willing's petition. See NRS 34.360. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Kimberly A. Wanker, District Judge
Christopher James Willing
Attorney General/Carson City
Nye County District Attorney
Nye County Clerk