

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

STEVEN CHRISTOPHER CRAIN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 72771

**FILED**

NOV 16 2017

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Steven Christopher Crain appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus and petition for a writ of coram nobis.<sup>1</sup> Eighth Judicial District Court, Clark County; Stefany Miley, Judge.

Crain argues the district court erred in denying relief. Crain filed motions on October 31, 2016, and December 27, 2016, entitled “motion for relief of conviction order.” In his motions, Crain asserted the State withheld exculpatory evidence regarding the victim’s and her mother’s veracity, and argued the imposition of lifetime supervision conditions was improper. Given the relief Crain sought, the district court construed the motions to be a postconviction petition for a writ of habeas corpus or a petition for a writ of coram nobis.

The district court found Crain had discharged his term of imprisonment and denied relief because a person on lifetime supervision may not file a postconviction petition for a writ of habeas corpus because

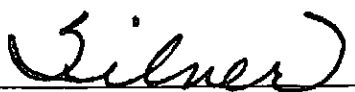
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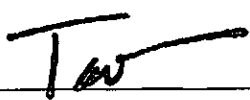
<sup>1</sup>This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

that person is not under a sentence of death or imprisonment as required by NRS 34.724. *See Coleman v. State*, 130 Nev. 190, 195, 321 P.3d 863, 867 (2014). The district court further concluded Crain's claims were not within the scope of a petition for a writ of coram nobis. *See Trujillo v. State*, 129 Nev. 706, 717, 310 P.3d 594, 601 (2013) (stating "the writ of coram nobis may be used to address errors of fact outside the record that affect the validity and regularity of the decision itself and would have precluded the judgment from being rendered"). After a review of the record, we conclude the district court properly denied relief.

Next, Crain argues the district court erred in denying the petition without conducting an evidentiary hearing. To warrant an evidentiary hearing, a petitioner must raise claims that are supported by specific allegations not belied by the record, and if true, would entitle him to relief. *Rubio v. State*, 124 Nev. 1032, 1046 & n.53, 194 P.3d 1224, 1233-34 & n.53 (2008). The district court concluded Crain's claims did not meet that standard and the record before this court reveals the district court's conclusions in this regard were proper. Therefore, the district court properly denied relief without conducting an evidentiary hearing. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

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

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

cc: Hon. Stefany Miley, District Judge  
Steven Christopher Crain  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk