

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DELBERT MARSHALL GREENE,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK,  
Respondent,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 78454-COA

FILED

MAY 15 2019


ELIJAH STINA BROWN  
CLERK OF THE EIGHTH JUDICIAL DISTRICT COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK


ORDER DENYING PETITION


In this petition for a writ of *coram nobis*, Delbert Marshall Greene challenges his guilty verdict, alleging error with the grand jury proceedings and the indictment, and arguing his counsel was ineffective. We have considered the petition and conclude this court's intervention by way of extraordinary writ is not warranted because Greene is not challenging a conviction, pursuant to which he is no longer in custody, and because his claims fall outside the limited scope for a writ of *coram nobis*. See *Trujillo v. State*, 129 Nev. 706, 717-18, 310 P.3d 594, 601-02 (2013) (recognizing the writ of *coram nobis* is a discretionary writ and observing that its application is restricted to persons who are no longer in custody on the conviction being challenged, but who seek to challenge the conviction in

order to address a limited scope of factual, not legal, errors). Accordingly,  
we

ORDER the petition DENIED.<sup>1</sup>

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

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

  
\_\_\_\_\_, J.  
Bulla

cc: Delbert Marshall Greene  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>1</sup>In light of this order, Greene's motion for reconsideration is denied.