

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

GREGORY ALLEN HATFIELD,
Appellant,
vs.
WILLIAM SANDIE, WARDEN,
LOVELOCK CORRECTIONAL
FACILITY,
Respondent.

No. 69624

FILED

AUG 17 2016

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

GREGORY ALLEN HATFIELD,
Appellant,
vs.
WILLIAM SANDIE, WARDEN,
LOVELOCK CORRECTIONAL
FACILITY,
Respondent.

No. 69625

ORDER OF AFFIRMANCE

These are consolidated appeals from an order of the district court denying a post-conviction petition for a writ of habeas corpus filed in district court case number PC 5117A and a motion to reopen district court case number CR 5117A and consolidate it with district court case number

CR 6022.¹ Fifth Judicial District Court, Nye County; Robert W. Lane, Judge.

Appellant Gregory Allen Hatfield claims the district court erred by dismissing his post-conviction petition for a writ of habeas corpus. He asserts that his acquittal of the charge of felon in possession of a firearm in CR 5117A demonstrates he is factually innocent of his conviction for battery with the use of a deadly weapon in CR 6022. He further asserts the district court erred by not properly instructing the jury and for not sua sponte ordering a directed verdict in CR 6022 once the jury acquitted him in CR 5117A.

The district court summarily dismissed the petition filed in PC 5117A² because Hatfield was acquitted of the charge in that case. We conclude the district court did not err by summarily dismissing the petition. *See* NRS 34.724(1).

To the extent Hatfield is attempting to appeal from the district court order denying his motion to reopen CR 5117A and consolidate that case with CR 6022, we lack jurisdiction to consider the appeal because no statute or court rule authorizes an appeal from the


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

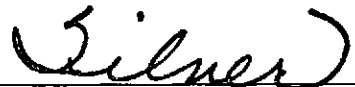
²The district court's order also denies a postconviction petition filed in PC 6022. The denial of the petition in PC 6022 is the subject of the consolidated appeals in Docket Nos. 69626 and 69627.

denial of such a motion. *See Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we

ORDER the judgment of the district court AFFIRMED.³


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. Robert W. Lane, District Judge
Gregory Allen Hatfield
Attorney General/Carson City
Nye County District Attorney
Nye County Clerk

³Because the appeals in Docket Nos. 69624, 69625, 69626, and 69627 have all been transferred to this court for resolution, we deny Hatfield's motion filed on July 5, 2016.