

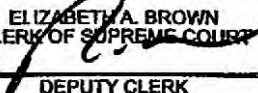
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ALEXANDER CASANELLAS LOPEZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 79708-COA

FILED

JUL 13 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Alexander Casanellas Lopez appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Valerie Adair, Judge.


Lopez filed his petition on April 2, 2019, more than four years after issuance of the remittitur on direct appeal on August 19, 2014. *See Lopez v. State*, Docket No. 63462 (Order of Affirmance, July 22, 2014). Thus, Lopez's petition was untimely filed. *See* NRS 34.726(1). Moreover, Lopez's petition was successive because he had previously filed a postconviction petition for a writ of habeas corpus, and it constituted an abuse of the writ as he raised claims new and different from those raised in his previous petition.¹ *See* NRS 34.810(1)(b)(2); NRS 34.810(2). Lopez's petition was procedurally barred absent a demonstration of good cause and actual prejudice. *See* NRS 34.726(1); NRS 34.810(1)(b); NRS 34.810(3).

¹*Lopez v. State*, Docket No. 72493-COA (Order of Affirmance, January 9, 2018).

Lopez claimed that the procedural bars did not apply because he filed his petition within one year of the filing of an amended judgment of conviction on April 19, 2018.² Lopez's claim was without merit. Lopez did not challenge any changes made in the amended judgment of conviction; rather, his claims challenged the original judgment of conviction. Therefore, the amended judgment of conviction did not provide good cause to overcome the procedural bars. *See Sullivan v. State*, 120 Nev. 537, 541, 96 P.3d 761, 764 (2004). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Valerie Adair, District Judge
Alexander Casanellas Lopez
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²The district court entered an amended judgment of conviction to remove the sentence for the deadly-weapon enhancement.