

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CHET DUDA,  
Appellant,  
vs.  
ISIDRO BACA, WARDEN,  
Respondent.

No. 80364-COA

**FILED**

**JAN 22 2021**

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


*ORDER OF AFFIRMANCE*

Chet Duda appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on August 19, 2019. Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

In his petition, Duda challenged the subject matter jurisdiction of the district court to convict him. In response to an order of this court, respondent advised that Duda discharged his sentence in the underlying case on December 31, 2016. Because Duda discharged his sentence prior to filing the instant petition, the petition was not cognizable. Nev. Const. art. 6, § 6(1); NRS 34.724(1); *Jackson v. State*, 115 Nev. 21, 23, 973 P.2d 241, 242 (1999). Therefore, we conclude the district court did not err by denying the petition.<sup>1</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

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

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

<sup>1</sup>Although the district court incorrectly reached the merits of the claims in the petition, we nevertheless affirm its denial for the reason discussed above. *See Wyatt v. State*, 86 Nev. 294, 298, 468 P.2d 338, 341 (1970) (holding that a correct result will not be reversed simply because it is based on the wrong reason).

cc: Chief Judge, Eighth Judicial District Court  
Eighth Judicial District Court, Dept. 21  
Chet Duda  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk