

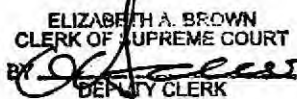
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ALQUANDRE H. TURNER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 82778-COA

**FILED**

OCT 13 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*

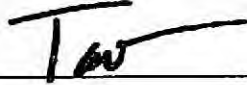
Alquandre H. Turner appeals from an order of the district court denying a petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Tierra Danielle Jones, Judge.

In his May 10, 2019, petition, Turner sought relief pursuant to NRS 34.360 and claimed the sentencing court lacked subject matter jurisdiction to impose sentence pursuant to the deadly weapon enhancement. A person “may prosecute a writ of habeas corpus to inquire into the cause of [his] imprisonment or restraint.” NRS 34.360. The cause of Turner’s imprisonment, as reflected in the record before this court, is a June 20, 2006, judgment of conviction of first-degree kidnapping with the use of a deadly weapon, conspiracy to commit robbery, robbery with the use of a deadly weapon, burglary while in possession of a firearm, and sexual assault while in possession of a deadly weapon. Turner’s challenge to his sentences pursuant to the deadly weapon enhancement was not within the

scope of a petition for a writ of habeas corpus filed pursuant to NRS 34.360. Therefore, the district court did not err by denying Turner's petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>1</sup>

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

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

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

cc: Hon. Tierra Danielle Jones, District Judge  
Alquandre H. Turner  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>1</sup>The district court construed Turner's petition as a postconviction petition for a writ of habeas corpus filed pursuant to NRS 34.724 and denied it as procedurally barred pursuant to NRS 34.726(1). However, Turner specifically stated that his petition was filed pursuant to NRS 34.360. As Turner did not file a postconviction petition for a writ of habeas corpus, the district court should not have applied NRS 34.726(1) to the petition. Nevertheless, we affirm the decision of the district court because it reached the correct result. See *Wyatt v. State*, 86 Nev. 294, 298, 468 P.2d 338, 341 (1970).