

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MYKEL TYREL BROWN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83140-COA

FILED

JAN 20 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK


ORDER OF AFFIRMANCE

Mykel Tyrel Brown appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on February 18, 2021. Eighth Judicial District Court, Clark County; Monica Trujillo, Judge.

Brown sought the retroactive application of changes to statutes prohibiting possession and/or trafficking of a controlled substance. Brown's claim neither challenged the validity of his guilty plea nor alleged his plea was entered without the effective assistance of counsel. Brown's claim was outside the scope of claims permissible in a postconviction petition for a writ of habeas corpus arising from a guilty plea. NRS 34.810(1)(a); *Gonzales v. State*, 137 Nev., Adv. Op. 40, 492 P.3d 556, 562 (2021). Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

¹The district court erred by addressing Brown's claim on the merits. We nevertheless affirm because the district court reached the correct resolution. *See Wyatt v. State*, 86 Nev. 294, 298, 468 P.2d 338, 341 (1970).

cc: Hon. Monica Trujillo, District Judge
Mykel Tyrel Brown
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk