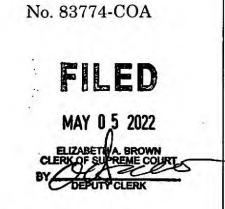
## IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MICHAEL LUIS COTA, Appellant, vs. WILLIAM A. GITTERE, WARDEN, NEVADA DEPARTMENT OF CORRECTIONS, Respondent.



22-14376

## ORDER OF AFFIRMANCE

Michael Luis Cota appeals from an order of the district court denying a postconviction petition requesting genetic marker analysis. Ninth Judicial District Court, Douglas County; Thomas W. Gregory, Judge.

In his August 26, 2021, petition, Cota requested testing of DNA samples contained on an assault rifle. A postconviction petition requesting genetic marker analysis must be served by registered mail upon both the Attorney General and "the district attorney in the county in which the petitioner was convicted." NRS 176.0918(2). If the petitioner fails to satisfy the requirements of NRS 176.0918, the district court "shall enter an order dismissing" the petition. NRS 176.09183(5).

The district court found that Cota did not demonstrate that he served the State as required by NRS 176.0918. The record supports the

COURT OF APPEALS OF NEVADA district court's finding. Therefore, we conclude that the district court did not err by concluding that Cota was not entitled to relief. Accordingly, we ORDER the judgment of the district court AFFIRMED.<sup>1</sup>

J.

Tao

J. Bulla

cc: Hon. Thomas W. Gregory, District Judge Michael Luis Cota Attorney General/Carson City Douglas County District Attorney/Minden Douglas County Clerk

<sup>1</sup>The Honorable Michael Gibbons, Chief Judge, did not participate in the decision in this matter.

COURT OF APPEALS OF NEVADA