

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ROY DANIELS MORAGA,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 84020-COA

FILED

JUN 17 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
*Elizabeth A. Brown*  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Roy Daniels Moraga appeals from an order of the district court denying a motion to modify or correct an illegal sentence filed on November 18, 2021.<sup>1</sup> Eighth Judicial District Court, Clark County; Michael Villani, Judge.

In his motion, Moraga claimed the State did not provide sufficient proof of his prior convictions to support habitual criminal adjudication. The Nevada Supreme Court has previously concluded that the State produced proper proof of Moraga's prior convictions and that the sentencing court properly considered Moraga's prior convictions for purposes of habitual criminal adjudication. *See Moraga v. State*, Docket No. 22901 (Order Dismissing Appeal, October 4, 1995). The doctrine of law of the case prevents further litigation of this claim and "cannot be avoided by a more detailed and precisely focused argument." *Hall v. State*, 91 Nev. 314, 316, 535 P.2d 797, 799 (1975). Therefore, we conclude the district court did not err by denying this claim.

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<sup>1</sup>Moraga's motion was titled "motion for correction of illegal sentence," and the substance of the motion clearly indicates it is a motion to modify or correct an illegal sentence.

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Moraga also claimed the State failed to file notice of its intent to seek habitual offender treatment. Moraga's claim fell outside the narrow scope of claims permissible in a motion to modify or correct an illegal sentence. *See Edwards v. State*, 112 Nev. 704, 708, 918 P.2d 321, 324 (1996). Therefore, without considering the merits of this claim, we conclude the district court did not err by denying it.

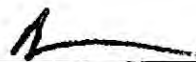
On appeal, Moraga claims his conviction violated the Double Jeopardy Clause, and he challenges this court's ruling in *Moraga v. State*, No. 83179-COA, 2021 WL 6143698 (Nev. Ct. App. Dec. 29, 2021) (Order of Affirmance). These claims were not raised in Moraga's motion, and we decline to consider them on appeal in the first instance. *See Rimer v. State*, 131 Nev. 307, 328 n.3, 351 P.3d 697, 713 n.3 (2015).

For the foregoing reasons, we

ORDER the judgment of the district court AFFIRMED.

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

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

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

cc: Hon. Michael Villani, District Judge  
Roy Daniels Moraga  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk