


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DAISY LYNNE MEADOWS F/K/A ROY
JAMES TROST,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 87426-COA

FILED

JUN 04 2024

ELIZABETH BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Daisy Lynne Meadows appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on June 28, 2023. Eighth Judicial District Court, Clark County; Joseph Hardy, Jr., Judge.

Meadows filed her petition more than 14 years after entry of the judgment of conviction on November 25, 2008.¹ Thus, Meadows' petition was untimely filed. *See* NRS 34.726(1). Moreover, Meadows' petition was successive because she had previously filed a postconviction petition for a writ of habeas corpus that was decided on the merits, and it constituted an abuse of the writ as she raised claims new and different from those raised in her previous petition.² *See* NRS 34.810(3).³ Meadows' petition was procedurally barred absent a demonstration of good cause and actual

¹No direct appeal was taken.

²The district court denied Meadows first, timely petition on the merits. She did not appeal from that denial.

³The subsections within NRS 34.810 were recently renumbered. We note the substance of the subsections cited herein was not altered. *See* A.B. 49, 82d Leg. (Nev. 2023).

prejudice. See NRS 34.726(1); NRS 34.810(4). Further, because the State specifically pleaded laches, Meadows was required to overcome the rebuttable presumption of prejudice to the State. See NRS 34.800(2).

Meadows did not allege in her petition that she had good cause to overcome the procedural bars. Nor does she challenge on appeal the district court's determination that her petition was procedurally barred and barred by laches. Therefore, we conclude that the district court did not err by denying Meadows' petition as procedurally barred and barred by laches. Accordingly, we

ORDER the judgment of the district court AFFIRMED.⁴


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Joseph Hardy, Jr., District Judge
Daisy Lynne Meadows
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

⁴On May 23, 2024, Meadows filed a letter seeking the status of her case. Given our disposition in this case, we take no action on this letter.