

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CRYSTAL MARIE SASHINGER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 88074-COA

FILED

OCT 16 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT

BY 
DEPUTY CLERK


ORDER OF AFFIRMANCE

Crystal Marie Sashinger appeals from a district court order dismissing a postconviction petition for a writ of habeas corpus filed on August 10, 2023. Second Judicial District Court, Washoe County; Scott N. Freeman, Judge.


Sashinger was convicted pursuant to a guilty plea, and the district court dismissed Sashinger's petition because it did not challenge the validity of her guilty plea or allege that her plea was entered without the effective assistance of counsel as required by NRS 34.810(1)(a). Sashinger argues the district court erred by dismissing her petition because the court failed to consider whether her claims fell within the scope of NRS 177.015(4). Under NRS 177.015(4), a defendant who has knowingly and voluntarily entered a guilty plea in a criminal case is prohibited from appealing a final judgment or verdict "unless the appeal is based upon reasonable constitutional, jurisdictional or other grounds that challenge the legality of the proceedings." Sashinger's postconviction habeas petition was not an appeal from a final judgment or verdict; rather, her postconviction habeas petition was a challenge to the validity of the judgment of conviction or sentence and was thus subject to the procedural requirements of NRS

Chapter 34. See NRS 34.720. NRS 177.015(4) has no bearing on whether Sashinger's petition satisfied the requirements of NRS 34.810(1)(a). Therefore, we conclude the district court did not err by failing to consider whether Sashinger's claims were permissible under NRS 177.015(4), and Sashinger fails to demonstrate the district court erred by dismissing her petition.¹ Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Scott N. Freeman, District Judge
Crystal Marie Sashinger
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

¹Sashinger does not challenge the district court's determination that her petition was not based upon allegations that her plea was involuntarily or unknowingly entered or that her plea was entered without the effective assistance of counsel.