

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KELVIN LANEIL JAMES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 89003-COA

FILED

JAN 31 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Kelvin Laneil James appeals from two district court orders denying four postconviction petitions requesting genetic marker analysis of evidence within the possession or custody of the State of Nevada filed on April 3, 2024; April 24, 2024; May 16, 2024; and June 6, 2024. Eighth Judicial District Court, Clark County; Carli Lynn Kierny, Judge.

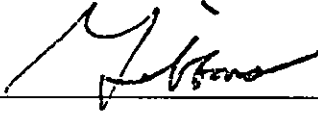
In his petitions, James claimed that his conviction for voluntary manslaughter was wrongful because there was a “lack of substantial evidence” to support the original charge of murder. He also argued that the exculpatory DNA report was never presented because there was no trial. It appears James argued that the crime scene and the fingerprints from the knife should be tested; however, he failed to specify what these items should be tested for.

The district court denied James’s petitions because he failed to meet any of the requirements of NRS 176.0918(3). Specifically, the district court found that James failed to (1) allege what specific analysis he was seeking, (2) identify potentially exculpatory results that could be obtained through genetic marker testing, (3) identify what prior genetic marker testing had been done on other items of evidence in his case, and (4) explain

why the testing could not have been done earlier. Based on the record before the court, we conclude that the district court correctly determined that the petition failed to meet the pleading requirements of NRS 176.0918(3). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

cc: Hon. Carli Lynn Kierny, District Judge
Kelvin Laneil James
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk