

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RICK SHAWN,  
Appellant,  
vs.  
TERRY ROTH, WARDEN  
Respondent.

No. 90375-COA

**FILED**

NOV 26 2025

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Rick Shawn appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on October 15, 2024, and an amended petition filed on December 28, 2024. Eighth Judicial District Court, Clark County; Bitu Yeager, Judge.

The district court found that in his petition and amended petition, Shawn raised claims challenging the proceedings in district court Case No. 09C255019-2 but that no judgment of conviction had been entered in that case because it had been dismissed with prejudice. Based on this, the district court denied Shawn's petition. The record supports the district court's determinations. Therefore, we conclude the district court did not err by denying Shawn's petition. See NRS 34.720 (providing that a postconviction petition for a writ of habeas corpus only allows a petitioner to "[r]equest[ ] relief from a judgment of conviction or sentence in a criminal case" or "[c]hallenge[ ] the computation of time that the petitioner has served pursuant to a judgment of conviction"); NRS 34.722 (providing that a "petition" means a petition to obtain relief from a judgment of conviction or sentence or to challenge the computation of time a person has served filed pursuant to NRS 34.724"); NRS 34.724 (limiting those who may file a

postconviction habeas petition to persons "convicted of a crime and under sentence of death or imprisonment"). Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>1</sup>

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

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

  
\_\_\_\_\_, J.  
Westbrook

cc: Hon. Bitu Yeager, District Judge  
Rick Shawn  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>1</sup>To the extent Shawn attempts to support the claims raised in his pleadings below by adding facts or argument on appeal, we decline to consider these facts or argument for the first time on appeal. *See State v. Wade*, 105 Nev. 206, 209 n.3, 772 P.2d 1291, 1293 n.3 (1989). Insofar as Shawn has raised other issues which are not specifically addressed in this order, we have considered the same and conclude that they do not present a basis for relief.