

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JAYSON D. MAZZARELLA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 91461-COA

FILED

APR - 9 2026

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

ORDER OF AFFIRMANCE

Jayson D. Mazzarella appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on June 26, 2025. Eighth Judicial District Court, Clark County; Eric Johnson, Judge.

On appeal, Mazzarella contends the district court erred by denying his petition without giving him adequate time to respond to the State's "motion to dismiss." The record indicates the State did not file a motion to dismiss Mazzarella's petition; rather, the State filed a response to the petition as ordered by the district court. Mazzarella was not entitled to file a reply to the State's response. *See* NRS 34.750(5). Therefore, the district court did not err by adjudicating the matter based on the petition

and response before it, and we conclude Mazzairella is not entitled to relief on this claim.¹

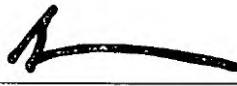
Mazzairella also contends the district court was biased against him. Mazzairella has not demonstrated that the district court's decision was based on knowledge acquired outside of the proceedings, and the district court's decision did not otherwise reflect "a deep-seated favoritism or antagonism that would make fair judgment impossible." *Canarelli v. Eighth Jud. Dist. Ct.*, 138 Nev. 104, 107, 506 P.3d 334, 337 (2022) (internal quotation marks omitted); see also *Williams v. Second Jud. Dist. Ct.*, 142 Nev., Adv. Op. 5, 583 P.3d 223, 227-28 (2026) (recognizing "judicial rulings or comments on their own almost never constitute a valid basis for a bias or partiality motion" (internal quotation marks omitted)). Therefore, we conclude Mazzairella is not entitled to relief on this claim.

Mazzairella also contends the district court erred in failing to hold an evidentiary hearing on his claims of ineffective assistance of counsel. The district court determined that Mazzairella's petition was procedurally barred and that Mazzairella failed to argue good cause to overcome the procedural bar. Mazzairella does not challenge these determinations on appeal. Because "[a]pplication of the statutory procedural default rules to post-conviction habeas petitions is mandatory," *State v. Eighth Jud. Dist. Ct. (Riker)*, 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005), we conclude the district court did not err by denying

¹To the extent Mazzairella contends the State's response was untimely filed, it was within a district court's discretion to consider an untimely response. See *Means v. State*, 120 Nev. 1001, 1020, 103 P.3d 25, 37 (2004).

Mazzarella's petition without conducting an evidentiary hearing, *see id.* at 235, 112 P.3d at 1076 (recognizing that the application of the procedural bars may eliminate the need for an evidentiary hearing). Accordingly,² we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

cc: Hon. Eric Johnson, District Judge
Jayson Devin Mazzarella
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²To the extent Mazzarella raises other arguments not specifically addressed in this order, we have considered the same and conclude that they either do not present a basis for relief or need not be reached given the disposition of this appeal.