



IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RICKY DEVON LEWIS A/K/A ERIC
LEWIS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 91322-COA

ORDER OF AFFIRMANCE

Ricky Devon Lewis appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on August 20, 2025. Eighth Judicial District Court, Clark County; Eric Johnson, Judge.

In his petition, Lewis challenged the validity of his judgment of conviction in district court case no. C213093. At the time he filed his petition, Lewis had expired his term of incarceration in that matter and was subject only to lifetime sex offender registration. Despite Lewis's arguments to the contrary, a person subject only to lifetime sex offender registration is not "under [a] sentence of death or imprisonment" for the purposes of NRS 34.724(1) and, thus, may not file a postconviction petition for a writ of habeas corpus. *Cf. Coleman v. State*, 130 Nev. 190, 193-95, 321 P.3d 863, 866-67 (2014) (holding "a person who is subject only to lifetime supervision is not under a sentence of imprisonment within the meaning of NRS 34.724(1) and therefore cannot file a post-conviction petition for a writ of habeas corpus to challenge his sentence"). Likewise, the mere fact that Lewis may have been suffering from "ongoing collateral consequences" does not demonstrate he was under a sentence of death or imprisonment for the purposes of NRS 34.724(1). *See Martinez-Hernandez v. State*, 132 Nev. 623,

627, 380 P.3d 861, 864 (2016) (holding that “in instances where collateral consequences of a conviction exist, a habeas petition challenging the validity of a judgment of conviction does not become moot when the petitioner, *who was in custody at the time the petition was filed* , is released from custody subsequent to the filing of the petition ” (emphasis added)). Therefore, Lewis was not entitled to postconviction habeas relief, and we conclude the district court did not err by denying Lewis’s petition.¹ Accordingly,² we

ORDER the judgment of the district court AFFIRMED.


Bulla, C.J.


Gibbons, J.


Westbrook, J.

cc: Ricky Devon Lewis
Attorney General/Carson City
Clark County District Attorney

¹The district court erred by denying the petition as procedurally barred without first determining whether Lewis was permitted to file a postconviction habeas petition. Nonetheless, we affirm the district court’s decision for the reasons stated herein. *See Wyatt v. State* , 86 Nev. 294, 298, 468 P.2d 338, 341 (1970) (holding a correct result will not be reversed simply because it was based on the wrong reason).

²Having concluded that Lewis was not entitled to file a postconviction habeas petition, we further conclude the district court did not abuse its discretion by denying Lewis’s August 20, 2025, “emergency motion for preliminary injunction to stay enforcement of sex offender registration requirements pending resolution of post-conviction petition.”

Eighth District Court Clerk