

IN THE SUPREME COURT OF THE STATE OF NEVADA

HAROLD EDWARDS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 75847

**FILED**

MAR 15 2019

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

This is a pro se appeal from a district court order denying a postconviction petition for a writ of habeas corpus.<sup>1</sup> Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

In his second habeas petition filed on January 9, 2018, appellant claimed that he received ineffective assistance of appellate counsel because his counsel did not raise a unit-of-prosecution argument, challenge the verdict form and jury instructions, or raise an issue regarding jury selection. These claims were waived and an abuse of the writ as they could have been raised in his first petition,<sup>2</sup> and appellant fails to demonstrate good cause for his failure to do so. See NRS 34.810(1)(b), (2), (3). To the extent that appellant presented his claim that appellate counsel was ineffective for not raising a unit-of-prosecution argument as good cause in the first postconviction proceeding, appellant's petition is also successive


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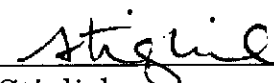
<sup>1</sup>Having considered the pro se brief filed by appellant, we conclude that a response is not necessary. NRAP 46A(c). This appeal therefore has been submitted for decision based on the pro se brief and the record. See NRAP 34(f)(3).

<sup>2</sup>Appellant did not appeal the denial of his first habeas petition.

as the good-cause claim was rejected in the prior proceeding and appellant fails to demonstrate good cause for presenting the ineffective-assistance claim again. *See* NRS 34.810(2), (3). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Stiglich

  
\_\_\_\_\_, J.  
Silver

cc: Hon. Valerie Adiar, Dist. Judge  
Harold Edwards  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk