

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DANIEL WALTER CORCORAN,
Appellant,
vs.
RENEE BAKER, WARDEN,
Respondent.

No. 76384-COA

FILED

MAY 21 2019

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

ORDER OF AFFIRMANCE

Daniel Walter Corcoran appeals from an order of the district court dismissing a postconviction petition for a writ of habeas corpus filed on March 13, 2018.¹ Eleventh Judicial District Court, Pershing County; Jim C. Shirley, Judge.

In his petition, Corcoran claimed the Nevada Department of Corrections improperly declined to apply credits toward the minimum term of his sentence for the deadly weapon enhancement of his sentence for first-degree murder with the use of a deadly weapon. The district court dismissed Corcoran's petition as procedurally barred because it was a successive petition and it was an abuse of the writ as he raised claims new and different from those raised in his previous petition.² See NRS 34.810(2).

We conclude the district court did not err by dismissing Corcoran's petition as procedurally barred because the petition was


¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).


²It does not appear Corcoran appealed from the district court's order disposing of his previous petition challenging the computation of time served filed on March 30, 2017.

successive and an abuse of the writ, and Corcoran failed to allege good cause to overcome the procedural bars. See NRS 34.810(3). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Jim C. Shirley, District Judge
Daniel Walter Corcoran
Attorney General/Carson City
Pershing County Clerk