

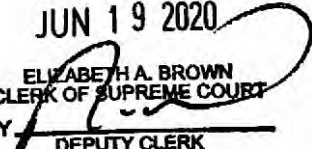
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MICHAEL RAY KNIGHT,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 79427-COA

**FILED**

JUN 19 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*


Michael Ray Knight appeals from a district court order dismissing a postconviction petition for a writ of habeas corpus filed on July 20, 2018. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.

Knight, who was adjudicated as a habitual criminal, claimed NRS 207.010 is unconstitutional because it violates the Due Process Clause, the Equal Protection Clause, and the Double Jeopardy Clause. Knight did not allege his plea was involuntarily or unknowingly entered or was entered without the effective assistance of counsel. Accordingly, his claims were outside the scope of claims permissible in a postconviction petition for writ of habeas corpus challenging a judgment of conviction based on a guilty plea. See NRS 34.810(1)(a). To the extent Knight was also challenging the computation of time he has served, such a claim must be raised in a separate postconviction petition for a writ of habeas corpus filed with the clerk of the district court for the county in which he is incarcerated. See NRS 34.738(1), (3).

For the foregoing reasons, we conclude the district court did not err by dismissing Knight's petition, and we

ORDER the judgment of the district court AFFIRMED.

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

  
\_\_\_\_\_, J.  
Tao

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

cc: Hon. Connie J. Steinheimer, District Judge  
Michael Ray Knight  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk