

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

LAVERN CHARLES FASTHORSE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 81741-COA

FILED

JUN 07 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

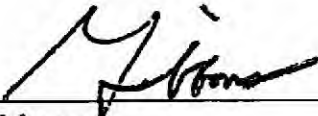
ORDER OF AFFIRMANCE


Lavern Charles Fasthorse appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on August 3, 2020. First Judicial District Court, Carson City; James E. Wilson, Judge.

In his petition, Fasthorse claimed the district court lacked subject matter jurisdiction over his case because Nevada is subject to the Treaty of Guadalupe Hidalgo, his conviction violates the major crimes act because Nevada falls under federal authority, and the Nevada Revised Statutes were not properly enacted. Fasthorse failed to demonstrate his claims implicated the district court's subject matter jurisdiction. *See Nev. Const. art. 6, § 6(1); NRS 171.010; Landreth v. Malik*, 127 Nev. 175, 183, 251 P.3d 163, 168 (2011) ("Subject matter jurisdiction is the court's authority to render a judgment in a particular category of case." (internal

quotation marks omitted)). Therefore, we conclude the district court did not err by denying the petition, and we

ORDER the judgment of the district court AFFIRMED.¹


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. James E. Wilson, District Judge
Lavern Charles Fasthorse
Attorney General/Carson City
Carson City District Attorney
Carson City Clerk

¹We have reviewed all documents Fasthorse has filed in this matter, and we conclude no relief based upon those submissions is warranted. To the extent Fasthorse attempts to present claims or facts in those submissions which were not previously presented in the proceedings below, we decline to consider them in the first instance. *See McNelton v. State*, 115 Nev. 396, 415-16, 990 P.2d 1263, 1275-76 (1999).