

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KC KEITH COULTER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 82163-COA

FILED

JUL 14 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

KC Keith Coulter appeals from an order of the district court denying a postconviction petition requesting genetic marker analysis. Eighth Judicial District Court, Clark County; William D. Kephart, Judge.

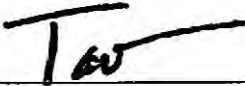
In his July 17, 2020 petition, Coulter contended that the DNA testing conducted prior to his trial was unreliable and requested the evidence pertaining to his case undergo new DNA tests. However, Coulter did not explain his rationale for why a reasonable probability exists that he would not have been prosecuted or convicted if the results obtained through a genetic marker analysis had been exculpatory. Coulter also did not identify the type of genetic marker analysis he sought or the results of all prior genetic marker analysis performed on evidence utilized in the trial that resulted in his conviction. In addition, Coulter did not provide a statement asserting that the type of genetic marker analysis he sought was not available at the time of trial or, if it was available, that the failure to request genetic marker analysis before he was convicted was not a result of a strategic or tactical decision as part of his representation at the trial.

Coulter thus did not meet the requirements for obtaining a genetic marker analysis. See NRS 176.0918(3)(b), (c), (d), (e). Therefore,

we conclude the district court did not abuse its discretion by summarily denying Coulter's petition. See NRS 176.0918(4)(a). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

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

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

cc: Chief Judge, Eighth Judicial District Court  
Eighth Judicial District Court, Dept. 19  
KC Keith Coulter  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk