

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CHRISTOPHER ROBERT KELLER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 81988-COA

FILED

SEP 28 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DISMISSING APPEAL

Christopher Robert Keller appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on August 26, 2019, and a supplemental pleading filed on February 12, 2020. Eighth Judicial District Court, Clark County; William D. Kephart, Judge.

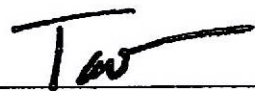
Our review of this appeal reveals a jurisdictional defect. The November 20, 2020, order purportedly denying Keller's petition and supplemental pleading did not resolve all of the claims Keller raised. Specifically, the order did not address the following ineffective-assistance-of-trial-counsel claims: whether counsel should have objected to Keller's consecutive habitual-criminal sentence; whether trial counsel should have objected to the use of Keller's prior felonies; whether trial counsel should have impeached Officer Lopez with prior inconsistent statements; whether trial counsel should have filed a motion to dismiss Keller's case and requested an evidentiary hearing; whether trial counsel should have considered the importance of the "owe sheets" as evidence; and whether

trial counsel was ineffective for advising Keller he would lose his right to appeal if he pleaded guilty.¹

Additionally, the order did not address whether appellate counsel was ineffective for failing to raise the following claims: whether Keller's consecutive habitual-criminal sentence was illegal; whether the search of Keller's vehicle violated his 4th Amendment right against unreasonable search and seizure; whether the three-hour delay between Keller's apprehension and officers obtaining a search warrant made the vehicle stop invalid; whether the district court erred in allowing the State to proceed despite the destroyed or lost body camera footage; whether the district court erred by allowing Officer Lopez's testimony; and whether the district court erred by failing to continue the case to allow Keller to retain new counsel. The order was thus not a final order. *See Sandstrom v. Second Judicial Dist. Court*, 121 Nev. 657, 659, 119 P.3d 1250, 1252 (2005) ("[A] final order [is] one that disposes of all issues and leaves nothing for future consideration."). Accordingly, we lack jurisdiction to consider this appeal, *see* NRS 177.015(3), and we

ORDER this appeal DISMISSED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

¹The district court should also reduce to writing its oral disposition regarding Keller's claim of ineffective assistance of trial counsel as to the body camera footage.

cc: Chief Judge, Eighth Judicial District Court
Eighth Judicial District Court, Dept. 19
Christopher Robert Keller
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk