

SUPREME COURT OF NEVADA

Leonard Ray Woods v. State

No. 83728 (Nev. Aug. 11, 2022) · No. No. 83728 · Decided August 11, 2022

SUMMARY

The Nevada Supreme Court affirmed the denial of Leonard Ray Woods's postconviction petition for a writ of habeas corpus. The court held that several claims were barred by the law-of-the-case doctrine or procedural default, and that Woods failed to establish Brady violations or ineffective assistance of appellate counsel. The court also concluded that the district court did not abuse its discretion in denying appointment of postconviction counsel.

CASE DETAILS

COURT	Supreme Court of Nevada
WRITING FOR THE COURT	Parraguirre, C.J.; Silver, J.; Gibbons, Senior Justice, participating under general order of assignment
JURISDICTION	Nevada
DECIDED	August 11, 2022
DOCKET	No. 83728
DISPOSITION	affirmed
PROCEDURAL POSTURE	Pro se appeal from an Eighth Judicial District Court order denying a timely postconviction petition for a writ of habeas corpus without an evidentiary hearing.
STANDARD OF REVIEW	The denial of postconviction habeas relief and the denial of an evidentiary hearing were reviewed for legal error and abuse of discretion as applicable. The denial of postconviction counsel was reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published order of affirmance; no standard reporter citation appears in the opinion text.
PARTIES	Leonard Ray Woods v. State of Nevada

TOPICS

- state post-conviction relief
- habeas corpus
- ineffective assistance
- appellate procedure
- criminal procedure

PRACTICE AREAS

Nevada postconviction habeas corpus

criminal procedure

appellate procedure

ineffective assistance of counsel

QUESTIONS PRESENTED

1. Whether the law-of-the-case doctrine barred relitigation of Woods's claims concerning substitute counsel and suppression of evidence recovered from his cell phone.
2. Whether Woods established good cause and prejudice under Nevada's postconviction procedural-bar statute for his Brady claim and other claims that could have been raised on direct appeal.
3. Whether Woods demonstrated ineffective assistance of appellate counsel based on counsel's failure to raise the omitted issues.
4. Whether the district court abused its discretion by denying appointment of postconviction counsel.

HOLDINGS

1. The law-of-the-case doctrine barred Woods from relitigating his claims concerning the denial of substitute counsel and suppression of evidence recovered from his cell phone because those issues had already been considered and resolved on direct appeal.
2. A petitioner whose Brady claim could have been raised on direct appeal must show good cause for the omission and prejudice; Woods failed to satisfy that requirement because he did not allege specific facts showing that the purported fingerprint, DNA, or physical evidence was favorable, withheld by the State, or material.
3. Woods's claims concerning review of law-enforcement personnel files, standby counsel, defense resources, trial timing, and alleged improper witness influence were procedurally barred because he did not show good cause and prejudice or a fundamental miscarriage of justice.
4. Woods failed to establish ineffective assistance of appellate counsel because he did not show deficient performance or a reasonable probability that any omitted issue would have succeeded on appeal.
5. The district court did not abuse its discretion by denying Woods's request for appointed postconviction counsel.

KEY QUOTATIONS

“the purpose of the law-of-the-case doctrine is to prevent reconsideration of matters that have been settled and put to rest” (2)

“Effective assistance of appellate counsel does not mean that appellate counsel must raise every non-frivolous issue.” (3)

FACTUAL BACKGROUND

Woods voluntarily and knowingly waived his right to counsel and represented himself at trial. After his conviction, appellate counsel was appointed, and the Nevada Supreme Court affirmed the judgment of

conviction. In his postconviction petition, Woods alleged that the State withheld exculpatory evidence, that the district court mishandled counsel-related and evidentiary matters, that witnesses were improperly influenced, and that appellate counsel was ineffective. He also sought appointment of postconviction counsel.

PROCEDURAL HISTORY

Woods was convicted after voluntarily and knowingly waiving counsel and representing himself at trial. The district court appointed appellate counsel, and the Nevada Supreme Court affirmed the judgment of conviction in *Woods v. State*, No. 78816, 2020 WL 6504629 (Nev. Nov. 3, 2020). Woods then filed a timely postconviction habeas petition alleging trial, evidentiary, constitutional, and ineffective-assistance claims. The district court denied the petition without an evidentiary hearing, and the Nevada Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- *Woods v. State*, No. 78816, 2020 WL 6504629 (Nev. Nov. 3, 2020)
- *Hsu v. County of Clark*, 123 Nev. 625, 630, 173 P.3d 724, 728 (2007)
- *Brady v. Maryland*, 373 U.S. 83 (1963)
- *State v. Huebler*, 128 Nev. 192, 198, 275 P.3d 91, 95 (2012)
- *Hargrove v. State*, 100 Nev. 498, 502, 686 P.2d 222, 225 (1984)
- *Pellegrini v. State*, 117 Nev. 860, 887, 34 P.3d 519, 537 (2001)
- *Rippo v. State*, 134 Nev. 411, 423 n.12, 423 P.3d 1084, 1097 n.12 (2018)
- *Kirksey v. State*, 112 Nev. 980, 998, 923 P.2d 1102, 1114 (1996)
- *Strickland v. Washington*, 466 U.S. 668, 697 (1984)
- *Gray v. Greer*, 800 F.2d 644, 646 (7th Cir. 1986)
- *Renteria-Novoa v. State*, 133 Nev. 75, 77, 391 P.3d 760, 762 (2017)