IN THE SUPREME COURT OF THE STATE OF NEVADA

TYON HOPKINS,
Appellant,
  vs.
THE STATE OF NEVADA,
Respondent.

No. 56401

FILED

NOV 1 2 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
    DEPUTY CLERK

ORDER OF AFFIRMANCE

        This is a proper person appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus.[1] Eighth Judicial District Court, Clark County; Kathy A. Hardcastle, Judge.

        Appellant filed his petition on February 12, 2010, more than one year after issuance of the remittitur on direct appeal on February 3, 2009. Hopkins v. State, Docket No. 50873 (Order of Affirmance, January 8, 2009). Thus, appellant's petition was untimely filed. See NRS 34.726(1). Appellant's petition was procedurally barred absent a demonstration of cause for the delay and undue prejudice. See id. Appellant did not attempt to demonstrate cause for the delay in filing his petition. Because appellant did not demonstrate cause for the delay, we

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        [1]This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Luckett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

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conclude that the district court did not err in denying the petition as procedurally barred. Accordingly, we

ORDER the judgment of the district court AFFIRMED.[2]

_____, J.
Hardesty

_____, J.
Douglas

_____, J.
Pickering

cc: Hon. Kathy A. Hardcastle, District Judge
       Tyon Hopkins
       Attorney General/Carson City
       Clark County District Attorney
       Eighth District Court Clerk

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[2]We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.