

IN THE SUPREME COURT OF THE STATE OF NEVADA

DUANE A. JONES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 57919

FILED

JUL 13 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Tracie K. Lindeman*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order denying a post-conviction petition for a writ of habeas corpus.¹ Eighth Judicial District Court, Clark County; Jackie Glass, Judge.


Appellant filed his petition on December 23, 2010, more than three years after entry of the judgment of conviction on April 5, 2007, and more than two years after entry of the order revoking probation and amending the judgment of conviction on March 31, 2008.² Thus, appellant's petition was untimely filed. See NRS 34.726(1); Sullivan v. State, 120 Nev. 537, 541, 96 P.3d 761, 764 (2004). Appellant's petition was procedurally barred absent a demonstration of cause for the delay and undue prejudice. See NRS 34.726(1). Appellant did not attempt to

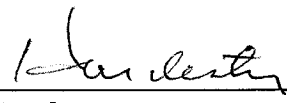
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

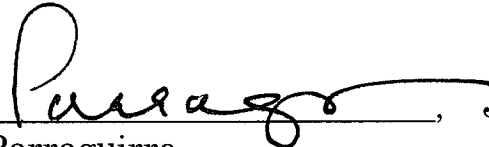
²No appeals were taken from these judgments.

demonstrate good cause for the delay.³ Therefore, we 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.

 _____, J.
Saitta

 _____, J.
Hardesty

 _____, J.
Parraguirre

cc: Hon. Jackie Glass, District Judge
Duane A. Jones
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

³Appellant did not specify if his ground for relief related to the guilt phase or the revocation of his probation. In either event, the petition was untimely as described above.