

IN THE SUPREME COURT OF THE STATE OF NEVADA

LARRY FORSYTHE A/K/A SCOTT
ALAN BLUETHMAN,
Appellants,
vs.
THE STATE OF NEVADA,
Respondent.

No. 59044

FILED

FEB 08 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Angerson*
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; Michael Villani, Judge.

Appellant filed his petition in district court case number C247772 on May 3, 2011, more than two years after the filing of his judgment of conviction.² Appellant's petition was therefore untimely filed and, accordingly, was procedurally barred absent a demonstration of cause for the delay and undue prejudice. See NRS 34.726(1). Appellant did not attempt to demonstrate good cause to excuse his delay. We therefore

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 direct appeal was taken.

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

ORDER the judgment of the district court AFFIRMED.

Cherry, J.
Cherry

Pickering, J.
Pickering

Hardesty, J.
Hardesty

cc: Hon. Michael Villani, District Judge
Larry Forsythe a/k/a Scott Alan Bluethman
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk