

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALEXANDER D. SEVILLET,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60226

FILED

JUL 25 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY A. Malone
DEPUTY CLERK

ORDER OF AFFIRMANCE

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

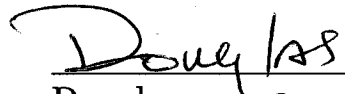
Appellant filed his petition on September 16, 2011, more than one year after entry of the judgment of conviction on September 7, 2010. Thus, appellant's petition was untimely filed. See NRS 34.726(1). Moreover, appellant's petition was successive because he raised the same claims decided previously on the merits.² See NRS 34.810(2). Appellant's petition was procedurally barred absent a demonstration of good cause and actual prejudice. See NRS 34.726(1); NRS 34.810(3). Appellant failed to demonstrate that an impediment external to the defense excused his procedural defects. See Hathaway v. State, 119 Nev. 248, 252, 71 P.3d

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).


²Sevillet v. State, Docket No. 58990 (Order of Affirmance, February 8, 2012).

503, 506 (2003). Therefore, we conclude that the district court did not err in dismissing the petition as procedurally barred. Accordingly, we

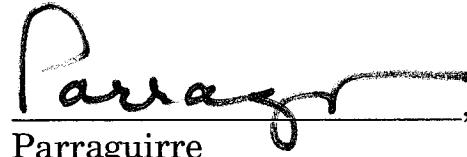
ORDER the judgment of the district court AFFIRMED.

 _____, J.

Douglas

 _____, J.

Gibbons

 _____, J.

Parraguirre

cc: Hon. Valerie Adair, District Judge
Alexander D. Sevillet
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk