

IN THE SUPREME COURT OF THE STATE OF NEVADA

KENNETH CHARLES MCKNIGHT,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 60274

FILED

SEP 12 2012

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *Angela*  
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court dismissing a post-conviction petition for a writ of habeas corpus.<sup>1</sup> Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.

Appellant filed his petition on June 20, 2011, more than four years after the judgment of conviction was entered on April 9, 2007.<sup>2</sup> Thus, appellant's petition was untimely filed. See NRS 34.726(1). Appellant's petition was procedurally barred absent a demonstration of good cause—cause for the delay and undue prejudice. See id.

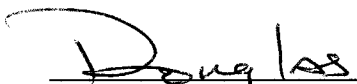
Appellant claimed that he had good cause to overcome the procedural bar because he was prescribed psychotropic medication, which

<sup>1</sup>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 Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

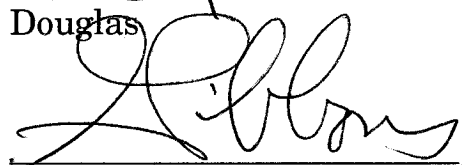
<sup>2</sup>Appellant filed a notice of appeal from his judgment of conviction, but it was untimely and the appeal was dismissed. See McKnight v. State, Docket No. 53718 (Order Dismissing Appeal, June 18, 2009).

caused "thought distortion." Appellant failed to demonstrate an impediment external to the defense to excuse his procedural defect. See Hathaway v. State, 119 Nev. 248, 252, 71 P.3d 503, 506 (2003). His conclusory allegation regarding his mental health status did not constitute good cause for the filing of an untimely post-conviction petition. See Phelps v. Director, Prisons, 104 Nev. 656, 660, 764 P.2d 1303, 1306 (1988). Therefore, the district court did not err in denying the petition as procedurally barred. Accordingly, we

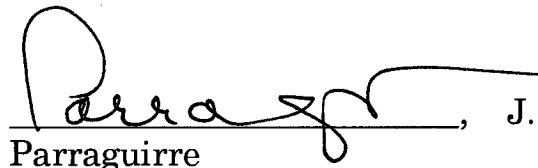
ORDER the judgment of the district court AFFIRMED.

 \_\_\_\_\_, J.

Douglas

 \_\_\_\_\_, J.

Gibbons

 \_\_\_\_\_, J.

Parraguirre

cc: Hon. Connie J. Steinheimer, District Judge  
Kenneth Charles McKnight  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk