

IN THE SUPREME COURT OF THE STATE OF NEVADA

FABIEN HUNT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60400

FILED

SEP 12 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
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 Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.

Appellant filed his petition on December 17, 2010, more than one year after entry of the judgment of conviction on May 21, 2009. 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 appeared to claim that he had good cause because he had a low I.Q. Low intelligence is not an impediment external for purposes of demonstrating good cause to overcome a procedural defect. See Phelps v. Director, Prisons, 104 Nev.


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).

656, 764 P.2d 1303 (1988). Therefore, we conclude that the district court did not err in denying the petition as procedurally barred. Accordingly, we

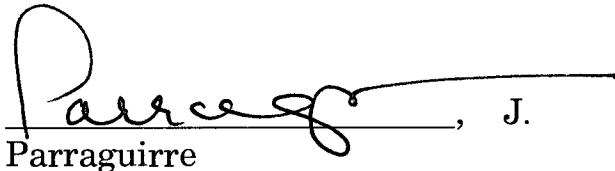
ORDER the judgment of the district court AFFIRMED.

 _____, J.

Douglas

 _____, J.

Gibbons

 _____, J.

Parraguirre

cc: Hon. Connie J. Steinheimer, District Judge
Fabien Hunt
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk