

IN THE SUPREME COURT OF THE STATE OF NEVADA

CURTIS BILLY BONILLA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 62747

FILED

SEP 19 2013

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 denying a post-conviction petition for a writ of habeas corpus.¹ Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

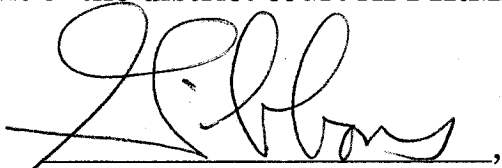
Appellant filed his petition on December 7, 2012, more than three years after entry of the judgment of conviction on April 7, 2009. Thus, appellant's petition was untimely filed. *See* NRS 34.726(1). Appellant's petition was procedurally barred absent a demonstration of good cause—cause for the delay and undue prejudice. *See id.*

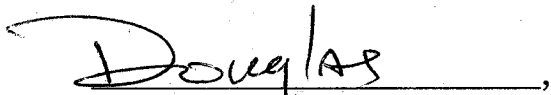
Appellant claimed that his delay was excused because he was unaware of post-conviction remedies and did not have direct access to the prison law library. Appellant failed to demonstrate that an impediment external to the defense excused his procedural defects. *See Hathaway v. State*, 119 Nev. 248, 252, 71 P.3d 503, 506 (2003). Appellant's lack of knowledge about post-conviction remedies does not provide good cause,

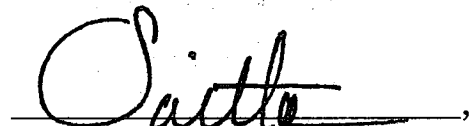
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

and even assuming that trial counsel's failure to inform him about post-conviction remedies was a legally valid excuse, appellant failed to demonstrate that the entire length of his delay was reasonable. *See generally id.* at 254-55, 71 P.3d at 507-08. Appellant's claim that he lacked direct access to the law library fell far short of demonstrating that official interference prevented him from filing a timely petition. *See id.* at 252, 71 P.3d at 506. Therefore, the district court did not err in denying the petition as procedurally time barred. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Hon. Kathleen E. Delaney, District Judge
Curtis Billy Bonilla
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk