

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES JOSEPH BLAND,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 64197

FILED

MAR 12 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY R. Malone
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; Michelle Leavitt, Judge.

Appellant filed his post-conviction petition on July 23, 2013, more than one year after this court issued the remittitur on direct appeal on July 9, 2012. *Bland v. State*, Docket No. 58293 (Order of Affirmance, June 13, 2012). Because the petition was untimely filed, it was procedurally barred absent a demonstration of good cause and actual prejudice. See NRS 34.726(1). Appellant did not attempt to demonstrate

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 *Luckett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

good cause and actual prejudice; therefore, the district court did not err by denying the petition as procedurally barred. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Cherry, J.
Cherry

cc: Hon. Michelle Leavitt, District Judge
James Joseph Bland
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.