

IN THE SUPREME COURT OF THE STATE OF NEVADA

PAUL DAVID FOWLER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 68016

**FILED**

NOV 13 2015

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

This is a pro se appeal from a district court order denying a second postconviction petition for a writ of habeas corpus.<sup>1</sup> Eighth Judicial District Court, Clark County; Jennifer P. Togliatti, Judge.

Appellant filed his postconviction petition on January 22, 2015, approximately 19 years after issuance of remittitur on direct appeal on May 21, 1996. *Fowler v. State*, Docket No. 27377 (Order Dismissing Appeal, May 1, 1996). Therefore, the petition was untimely filed. See NRS 34.726(1). Additionally, appellant's petition was successive as he previously sought postconviction relief.<sup>2</sup> See NRS 34.810(1)(b)(2). His petition was procedurally barred absent a demonstration of good cause and actual prejudice. See NRS 34.726(1); NRS 34.810(1)(b); NRS

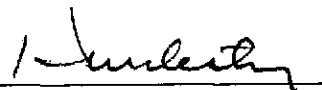
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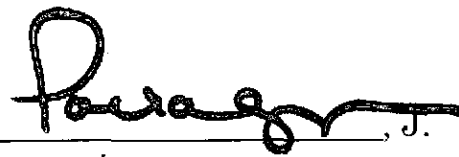
<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See *Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

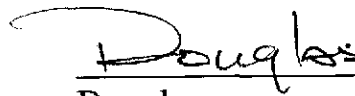
<sup>2</sup>*Fowler v. State*, Docket No. 44259 (Order of Affirmance, February 15, 2005).

34.810(3). Because appellant failed to demonstrate good cause to overcome the procedural default, we conclude that the district court did not err by denying his petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Hardesty

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

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

cc: Hon. Jennifer P. Togliatti, District Judge  
Paul D. Fowler  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk