

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD WILLIAM PETERS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 68145

**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 postconviction petition for a writ of habeas corpus.<sup>1</sup> Eighth Judicial District Court, Clark County; Louis Eric Johnson, Judge.

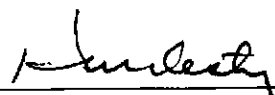
Appellant filed his postconviction petition on February 5, 2015, nearly 7 years after issuance of remittitur on direct appeal on September 9, 2008. *Peters v. State*, Docket No. 47887 (Order of Affirmance, August 14, 2008). Therefore, the petition was untimely filed. *See* NRS 34.726(1). His petition was procedurally barred absent a demonstration of good cause and actual prejudice. *See id.* Appellant did not explain his delay in filing the petition and therefore did not demonstrate good cause. To the extent he argues that he is actually innocent, he failed to present new evidence establishing that he is actually innocent of his crimes. *See House v. Bell*, 547 U.S. 518, 536-37 (2006);

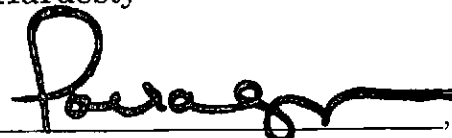
---

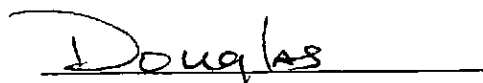
<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

*Schlup v. Delo*, 513 U.S. 298, 316 (1995). Therefore, we conclude that the district court did not err by denying his petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>2</sup>

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

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

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

cc: Hon. Louis Eric Johnson, District Judge  
Richard William Peters  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

---

<sup>2</sup>We 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.