

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RIGOBERTO ENRIQUE ISZAZ, A/K/A  
RIGO TROTTER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 69158

**FILED**

**MAR 16 2016**

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

*ORDER OF AFFIRMANCE*

This is an appeal from a district court order dismissing a postconviction petition for a writ of habeas corpus.<sup>1</sup> Eighth Judicial District Court, Clark County; Stefany Miley, Judge.

Appellant Rigoberto Iszaz filed his petition on July 6, 2015, more than a year after entry of the judgment of conviction on May 23, 2014.<sup>2</sup> Therefore, Iszaz' petition was untimely and procedurally barred absent a demonstration of good cause—cause for the delay and undue prejudice.<sup>3</sup> See NRS 34.726(1). Iszaz made no attempt to demonstrate good cause and actual prejudice, and he has not shown that the district

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<sup>1</sup>This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

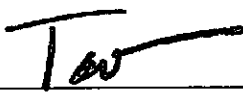
<sup>2</sup>Iszaz did not pursue a direct appeal.

<sup>3</sup>We note the district court entered an amended judgment of conviction on February 5, 2015. However, Iszaz did not challenge the amended judgment of conviction; therefore, the amended judgment of conviction did not provide good cause to overcome the procedural bar. See *Sullivan v. State*, 120 Nev. 537, 541, 96 P.3d 761, 764 (2004).

court erred by dismissing his petition as procedurally barred. Accordingly,  
we

ORDER the judgment of the district court AFFIRMED.<sup>4</sup>

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Silver

cc: Hon. Stefany Miley, District Judge  
Rigoberto Enrique Iszaz  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>4</sup>We have reviewed all documents Iszaz has submitted in this matter, and we conclude no relief based upon those submissions is warranted. To the extent Iszaz has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we decline to consider them in the first instance.