

IN THE SUPREME COURT OF THE STATE OF NEVADA

TAIWAN ALLEN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 69157

FILED

APR 14 2016

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

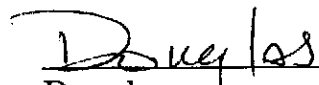
ORDER OF AFFIRMANCE

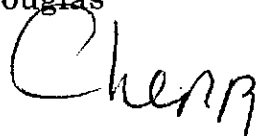
This is a pro se appeal from a district court order denying a postconviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Richard Scotti, Judge.


Appellant filed his postconviction petition on September 25, 2013, approximately eight years after issuance of remittitur on direct appeal on May 17, 2005. *Allen v. State*, Docket No. 42847 (Order of Affirmance, April 20, 2005). Therefore, the petition was untimely filed. See NRS 34.726(1). Additionally, his petition was successive as he previously sought postconviction relief. See NRS 34.810(1)(b)(2). His petition was procedurally barred absent a demonstration of good cause and prejudice. See NRS 34.726(1); NRS 34.810(1)(b); NRS 34.810(3). Appellant failed to demonstrate good cause to overcome the procedural bars. Moreover, his claim that trial counsel was ineffective for not advising him of a plea negotiation from the State was raised in his prior

petition and rejected by this court on appeal. *See Allen v. State*, Docket No. 51656 (Order of Affirmance, April 9, 2009). For these reasons, we

ORDER the judgment of the district court AFFIRMED.

 _____, J.
Douglas

 _____, J.
Cherry

 _____, J.
Gibbons

cc: Hon. Richard Scotti, District Judge
Taiwan Allen
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk