

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CEDRIC LEROB JACKSON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 72409

FILED

JAN 09 2018

ENZO BETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

Cedric Lerob Jackson appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus.<sup>1</sup> Eighth Judicial District Court, Clark County; Joseph T. Bonaventure, Senior Judge.

Jackson filed his petition on January 6, 2017, more than two years after entry of the judgment of conviction on November 21, 2014.<sup>2</sup> Thus, Jackson's petition was untimely filed. *See* NRS 34.726(1). Jackson's petition was procedurally barred absent a demonstration of good cause—cause for the delay and undue prejudice. *See id.*


Jackson claimed he had cause for his delay because his counsel failed to inform him of the postconviction procedures. This claim failed to demonstrate an impediment external to the defense prevented Jackson from filing a petition in a timely manner. *See Hathaway v. State*, 119 Nev. 248, 252-53, 71 P.3d 503, 506 (2003). This was a claim of ineffective

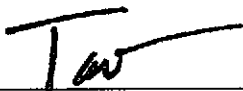
<sup>1</sup>This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).


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

assistance of counsel and was procedurally barred because it was reasonably available to be raised at an earlier time, and therefore, cannot constitute cause for raising additional procedurally barred claims. *See id.* at 252, 71 P.3d at 506 (“[I]n order to constitute adequate cause, the ineffective assistance of counsel claim itself must not be procedurally defaulted.”). Accordingly, we conclude the district court did not err in denying the petition as procedurally barred, and we

ORDER the judgment of the district court AFFIRMED.

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

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

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

cc: Joseph T. Bonaventure, Senior Judge  
Cedric Lerob Jackson  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk