

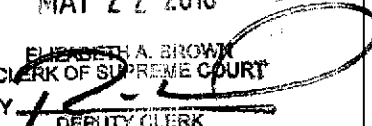
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RANDY MAURICE BRIDGES,
Appellant,
vs.
ISIDRO BACA, WARDEN,
Respondent.

No. 74140

FILED

MAY 22 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Randy Maurice Bridges appeals from a district court order dismissing the postconviction petition for a writ of habeas corpus filed on February 21, 2017.¹ Second Judicial District Court, Washoe County; Patrick Flanagan, Judge.

Bridges' petition was untimely because it was filed more than five years after the remittitur on direct appeal was issued on August 8, 2011,² and it was successive because he had previously filed a postconviction petition that was decided on the merits.³ See NRS 34.726(1); NRS 34.810(2). Consequently, Bridges' petition was procedurally barred absent a

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

²See *Bridges v. State*, Docket No. 56736 (Order of Affirmance, July 14, 2011).

³See *Bridges v. State*, Docket No. 64000 (Order of Affirmance, October 15, 2014) (concluding "[t]he district court dismissed the petition on the merits and based on the fugitive disentitlement doctrine").

demonstration of good cause and actual prejudice. See NRS 34.726(1); NRS 34.810(3).

Bridges appears to claim the district court erred by dismissing his petition because the State did not pursue a procedural-default challenge to his previous habeas petition and therefore lost the right to raise procedural-default challenges to his future habeas petitions. He also claims the Nevada Court of Appeals erred by sua sponte raising the issue of procedural default in its order affirming the denial of his previous petition.⁴ He does not claim there was good cause to excuse the procedural default of the instant habeas petition.⁵


We conclude Bridges failed to demonstrate that an impediment external to the defense prevented him from complying with the procedural default rules, see *Hathaway v. State*, 119 Nev. 248, 252, 71 P.3d 503, 506 (2006) (“In order to demonstrate good cause, a petitioner must show that an impediment external to the defense prevented him or her from complying with the state procedural default rules.”), and therefore the district court did not err in dismissing his untimely and successive petition, see *State v. Eighth Judicial Dist. Court (Riker)*, 121 Nev. 225, 231, 112 P.3d 1070, 1074


⁴See *Bridges v. State*, Docket No. 69179 (Order of Affirmance, July 26, 2016).

⁵To the extent Bridges claimed he had good cause because he was challenging the jurisdiction of the district court, we conclude his claims do not implicate the jurisdiction of the district court and therefore he has not demonstrated good cause. See Nev. Const. art. 6, § 6; NRS 171.010; *United States v. Cotton*, 535 U.S. 625, 630 (2002) (“[T]he term jurisdiction means the court's statutory or constitutional power to adjudicate the case.” (internal quotation marks omitted)).

(2005) (“Application of the procedural default rules to post-conviction habeas petitions is mandatory.”). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Chief Judge, Second Judicial District Court
Randy Maurice Bridges
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk