

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ARRION DANTE WRIGHT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 76104-COA

FILED

MAY 15 2019

ELIZABETH A. BROWN
CLERK OF THE SUPREME COURT
BY: *[Signature]*
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

Arrion Dante Wright appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on March 7, 2018.¹ Eighth Judicial District Court, Clark County; Michael Villani, Judge.

Wright's petition was untimely because it was filed more than five years after the judgment of conviction was entered on February 12, 2013.² See NRS 34.726(1). Consequently, Wright's petition was procedurally barred absent a demonstration of good cause and actual prejudice or that the failure to consider his claim would result in a fundamental miscarriage of justice. See NRS 34.726(1); NRS 34.810(3); *Pellegrini v. State*, 117 Nev. 860, 887, 34 P.3d 519, 537 (2001).

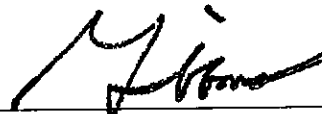
The district court found that Wright's attempts to show good cause by asserting an ineffective-assistance-of-counsel claim and hinting at an actual innocence claim constituted bare allegations that were not

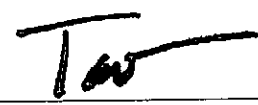
¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

²Wright did not pursue a direct appeal.

sufficient to overcome the mandatory procedural bars. The district court's finding is supported by the record on appeal, and we conclude the district court did not err by denying Wright's procedurally-barred habeas petition, motion for appointment of counsel, and request for an evidentiary hearing. *See* NRS 34.750(1); NRS 34.770(2); *Renteria-Novoa v. State*, 133 Nev. 75, 76, 391 P.3d 760, 760-61 (2017); *State v. Eighth Judicial Dist. Court (Riker)*, 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005); *Hargrove v. State*, 100 Nev. 498, 502-03, 686 P.2d 222, 225 (1984). Accordingly, we

ORDER the judgment of the district court AFFIRMED.³


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Michael Villani, District Judge
Arrion Dante Wright
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

³We note, because Wright's judgment of conviction was entered pursuant to a guilty plea and his deadly-weapon-enhancement claim did not allege ineffective assistance of counsel or challenge the validity of the guilty plea, the claim was not properly raised in the postconviction petition. *See* NRS 34.810(1)(a).