

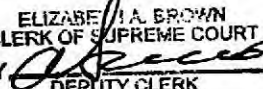
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ISAIHA DUCKKET,
Appellant,
vs.
BRIAN WILLIAMS, WARDEN,
Respondent.

No. 80360-COA

FILED

NOV 13 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Isaiha Duckket appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on September 9, 2019. Eighth Judicial District Court, Clark County; Jacqueline M. Bluth, Judge.

Duckket filed his petition more than one year after entry of the judgment of conviction on August 13, 2018.¹ Thus, Duckket's petition was untimely filed. *See* NRS 34.726(1). Duckket's petition was procedurally barred absent a demonstration of good cause—cause for the delay and undue prejudice.² *See id.*


In his petition, Duckket did not allege he had cause for his delay. Therefore, Duckket's petition should have been denied as procedurally time barred. The district court erred by considering Duckket's

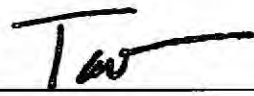
¹Duckket did not appeal from his judgment of conviction.

²Duckket's claims did not challenge any changes made in the order revoking probation and amended judgment of conviction filed on January 31, 2019. Therefore, the order revoking probation and amended judgment of conviction would not provide good cause to overcome the procedural bar. *See Sullivan v. State*, 120 Nev. 537, 541, 96 P.3d 761, 764 (2004).

claims on their merits, because “[a]pplication of the statutory procedural default rules to post-conviction habeas petitions is mandatory.” *See State v. Eighth Judicial Dist. Court (Riker)*, 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005). Nevertheless, because Duckket was not entitled to relief, we affirm. *See Wyatt v. State*, 86 Nev. 294, 298, 468 P.2d 338, 341 (1970) (holding a correct result will not be reversed simply because it is based on the wrong reason). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Jacqueline M. Bluth, District Judge
Isaiha Duckket
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk