

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT LESLIE STOCKMEIER,  
Appellant,  
vs.  
ARTHUR MALLORY, CHURCHILL  
COUNTY DISTRICT ATTORNEY AND  
WARDEN, LOVELOCK  
CORRECTIONAL CENTER, CRAIG  
FARWELL,  
Respondents.

No. 37807

FILED

MAR 27 2002

JANE I'VE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Ruback*  
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying a post-conviction petition for a writ of habeas corpus.

We have reviewed the record on appeal and for the reasons stated in the attached order of the district court, we conclude that the district court properly denied appellant's petition. Therefore, briefing and oral argument are not warranted in this appeal.<sup>1</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>2</sup>

*Young* J.  
\_\_\_\_\_  
Young

*Agosti* J.  
\_\_\_\_\_  
Agosti

*Leavitt* J.  
\_\_\_\_\_  
Leavitt

<sup>1</sup>Luckett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

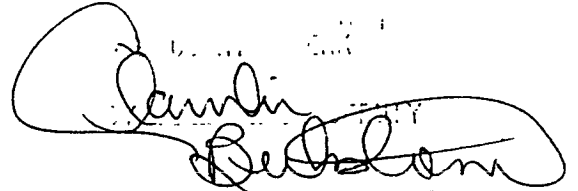
<sup>2</sup>We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.

cc: Hon. David A. Huff, District Judge  
Attorney General/Carson City  
Churchill County District Attorney  
Robert Leslie Stockmeier  
Churchill County Clerk

1 Case No. 19470-B

2 Dept. No. I

01 APR 19 PM 1:47



3  
4  
5 **IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

6  
7 **IN AND FOR THE COUNTY OF CHURCHILL**

8 \* \* \* \* \*

9 ROBERT L. STOCKMEIER,

10  
11 Petitioner,

12 vs.

**ORDER**

13 ARTHUR MALLORY, CHURCHILL  
14 COUNTY DISTRICT ATTORNEY,  
15 and CRAIG FARWELL, WARDEN  
OF LOVELOCK CORRECTIONAL  
CENTER,

16 Respondents.  
17 \_\_\_\_\_/

18 The Judgment of Conviction was entered on October 4, 1990. A document  
19 labeled Motion for Ruling on Defendant's Objections to Factual Inaccuracies in PSI Report  
20 and for Correction of Factual Inaccuracies in PSI Report was filed and an Order denying the  
21 Motion was entered. The matter was appealed to the Nevada Supreme Court and an Order  
22 was entered dismissing the appeal on November 17, 2000.

23  
24 Petitioner filed a Petition for Writ of Habeas Corpus on October 12,  
25 2000. A Motion to Strike the Writ of Habeas Corpus was filed on December 21, 2000, and  
26 an Opposition to the Motion to Strike was filed on December 29, 2000. On March 6, 2001,  
27 Petitioner filed a motion for leave to file supplement to petition for Writ of Habeas Corpus  
28 and an Opposition was filed on March 26, 2001.

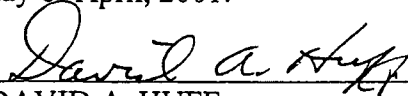
128

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Unless there is good cause shown for delay, a petition that challenges the validity of a judgment or sentence must be filed within 1 year after entry of the judgment. Petitioner filed his petition 10 years after the district court entered the judgment of conviction. Therefore, the petition is untimely and the Court finds no good cause for the delay. In addition a plea agreement need not advise a defendant of the requirements for parole except for the statutory eligibility for parole.

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED,** that the Petition for Writ of Habeas Corpus be dismissed.

DATED: This 19 day of April, 2001.

  
\_\_\_\_\_  
DAVID A. HUFF  
DISTRICT COURT JUDGE


CERTIFICATE OF SERVICE BY MAIL

19<sup>th</sup> The undersigned, an employee of the Third Judicial District Court, hereby certifies that on the 19<sup>th</sup> day of April, 2001, I served the foregoing Order on counsel for the parties by depositing a copy thereof in the U.S. Mail at Fallon, Nevada, postage paid, addressed as follows:

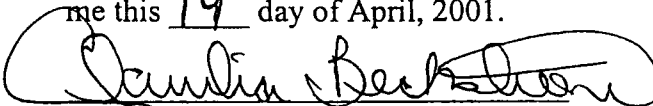
Robert L. Stockmeier  
Lovelock Correctional Center  
P.O. Box 359  
Lovelock, NV 89419

Brent Earl, Esq.  
Deputy District Attorney  
365 S. Maine Street  
Fallon, NV 89406

DATED this 19<sup>th</sup> day of April, 2001.

  
\_\_\_\_\_  
Johneta R. McGowan

SUBSCRIBED AND SWORN to before me this 19 day of April, 2001.

  
\_\_\_\_\_  
Notary Public/Clerk