

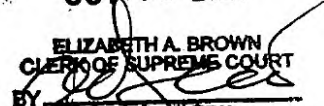
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KESHAWN MIKHAIL DOUCET,
Appellant,
vs.
THE STATE OF NEVADA; AND
WARDEN OF SDCC,
Respondent.

No. 87949-COA

FILED

OCT 09 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Keshawn Mikhail Doucet appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on September 28, 2023. Eighth Judicial District Court, Clark County; Jacqueline M. Bluth, Judge.

Doucet filed his petition more than four years after entry of the judgment of conviction on August 23, 2018.¹ Thus, Doucet's petition was untimely filed. See NRS 34.726(1). Doucet's petition was procedurally barred absent a demonstration of good cause—cause for the delay and undue prejudice. See *id.* "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." *Hathaway v. State*, 119 Nev. 248, 252, 71 P.3d 503, 506 (2003).

In his petition, Doucet claimed he had good cause because counsel never told him about a postconviction habeas petition and he only found out about such a remedy after the deadline for filing a petition had

¹Doucet did not file a direct appeal from his judgment of conviction.

passed. Neither counsel's purported failure to inform Doucet about a postconviction habeas petition nor Doucet's lack of legal knowledge constitute good cause because they are not impediments external to the defense. *See Sullivan v. State*, 120 Nev. 537, 542, 96 P.3d 761, 765 (2004) (holding a petitioner's claim that counsel failed to inform him "that he had one year . . . to seek post-conviction relief" was insufficient to demonstrate good cause for the filing of a procedurally barred postconviction petition); *see also Phelps v. Dir., Nev. Dep't of Prisons*, 104 Nev. 656, 660, 764 P.2d 1303, 1306 (1988) (holding a petitioner's claim of organic brain damage, borderline mental disability, and reliance on assistance of inmate law clerk unschooled in the law did not constitute good cause for the filing of a procedurally barred postconviction petition), *superseded by statute on other grounds as stated in State v. Haberstroh*, 119 Nev. 173, 180-81, 69 P.3d 676, 681 (2003). Therefore, Doucet failed to demonstrate good cause to overcome the procedural time bar, and we conclude the district court did not err by denying the petition as procedurally barred. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

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