

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KATHERINE DEE FLETCHER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 90975-COA

KATHERINE DEE FLETCHER,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 90976-COA

FILED

JUN 03 2026

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *Elizabeth A. Brown*
DEPUTY CLERK

ORDER OF AFFIRMANCE

Katherine Dee Fletcher appeals from district court orders dismissing postconviction petitions for a writ of habeas corpus filed on January 8, 2024, in district court case no. CR17-0690A (Docket No. 90975) and district court case no. CR17-0690B (Docket No. 90976). These cases were consolidated on appeal. *See* NRAP 3(b)(2). Second Judicial District Court, Washoe County; Egan K. Walker, Chief Judge.

Docket No. 90975

Fletcher filed her petition in district court case no. CR17-0690A more than one year after the issuance of the remittitur on direct appeal on October 10, 2022. *See Fletcher v. State*, No. 82047, 2022 WL 3691936 (Nev. Aug. 25, 2022) (Order of Affirmance). Thus, Fletcher's petition was untimely filed. *See* NRS 34.726(1). Fletcher'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). “[A] petitioner’s explanation of good cause and prejudice for each procedurally barred claim must be made on the face of the petition.” *Chappell v. State*, 137 Nev. 780, 787, 501 P.3d 935, 949 (2021).

In her petition, Fletcher claimed that she had good cause for the delay “due to beyond extra-ordinary circumstances [as] shown in” a complaint filed in federal district court and that she had an “extreme need for extended time” in light of that action. To the extent Fletcher attempted to incorporate by reference facts or argument presented in a separate document, Fletcher failed to explain why she had good cause on the face of her petition. Moreover, the fact that Fletcher prioritized the filing of a civil complaint over the filing of her postconviction habeas petition does not indicate an impediment external to the defense prevented her from timely filing her petition. *See Hathaway*, 119 Nev. at 252, 71 P.3d at 506 (“An impediment external to the defense may be demonstrated by a showing that the factual or legal basis for a claim was not reasonably available to counsel, or that some interference by officials, made compliance impracticable.” (internal quotation marks omitted)). Accordingly, we conclude the district court did not err by dismissing Fletcher’s petition as procedurally barred. *See State v. Eighth Jud. Dist. Ct. (Riker)*, 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005) (“Application of the statutory procedural default rules to post-conviction habeas petitions is mandatory.”).

Docket No. 90976


Fletcher filed her petition in district court case no. CR17-0690B more than three years after the issuance of the remittitur on direct appeal

on October 23, 2020. See *Fletcher v. State*, No. 79393-COA, 2020 WL 5793811 (Nev. Ct. App. Sep. 28, 2020) (Order of Affirmance). Thus, this petition was also untimely filed and procedurally barred absent a demonstration of good cause. See NRS 34.726(1). In her petition, Fletcher claimed she had good cause for the delay because she was “battling a wrongful conviction for murder,” she was “fighting for [her] children,” and she was “fighting hard, all while suffering terribly as described” in the aforementioned complaint. Fletcher’s good-cause claims did not allege that an impediment external to the defense prevented her from timely filing her petition. Accordingly, we conclude the district court did not err by dismissing Fletcher’s petition as procedurally barred. See *Riker*, 121 Nev. at 231, 112 P.3d at 1074.

For the foregoing reasons,¹ we

ORDER the judgments of the district court AFFIRMED.


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

¹Having determined that Fletcher’s petitions were untimely filed and that Fletcher’s good-cause claims did not indicate an impediment external to the defense caused the delay, we further conclude the district court did not abuse its discretion by denying Fletcher’s motions for “limited scope representation.” See NRS 34.750(1); *Renteria-Novoa v. State*, 133 Nev. 75, 76, 391 P.3d 760, 761 (2017).

cc: Hon. Egan K. Walker, Chief Judge
Katherine Dee Fletcher
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk