



IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TERRELL YOUNG,
Appellant,
vs.
WARDEN GARRETT,
Respondent.

No. 91556-COA

ORDER OF AFFIRMANCE

Terrell Young appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on August 15, 2025. Eighth Judicial District Court, Clark County; Hon. Monica Trujillo, Judge.

Young filed his petition more than 19 years after entry of the judgment of conviction on August 3, 2006.¹ Thus, Young's petition was untimely filed. *See* NRS 34.726(1). Moreover, Young's petition constituted an abuse of the writ as he raised claims that were new and different from those raised in his previous petitions.² *See* NRS 34.810(1)(b)(2); NRS 34.810(3). Young's petition was procedurally barred absent a demonstration of good cause and actual prejudice. *See* NRS 34.726(1); NRS 34.810(1)(b); NRS 34.810(4).

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

²*Young v. Garrett*, No. 88506-COA, 2024 WL 4456883 (Nev. Ct. App. Oct. 9, 2024) (Order of Affirmance); *Young v. State*, No. 73524-COA, 2018 WL 1050499 (Nev. Ct. App. Feb. 13, 2018) (Order of Affirmance); *Young v. State*, No. 71229-COA, 2017 WL 3033696 (Nev. Ct. App. July 12, 2017) (Order of Affirmance); *Young v. State*, No. 69628-COA, 2016 WL 7635427 (Nev. Ct. App. Dec. 28, 2016) (Order of Affirmance). Young filed two other postconviction habeas petitions in 2006 and 2007. He did not appeal from the denial of those petitions.

Further, because the State specifically pleaded laches, Young was required to overcome the rebuttable presumption of prejudice to the State. *See* NRS 34.800(2).

In his petition, Young claimed he had good cause to excuse the untimeliness of his petition because in 2008 he was diagnosed with paranoid schizophrenia, which caused him to be apprehensive to file the instant petition out of fear that he would be institutionalized. The district court found that this claim failed to establish good cause to overcome the procedural bars and that Young failed to raise this good cause claim within a reasonable time after it became available. Young does not challenge these determinations on appeal. Young also failed to overcome the rebuttable presumption of prejudice to the State. Accordingly, we conclude the district court did not err by denying Young's petition as procedurally barred, and we

ORDER the judgment of the district court AFFIRMED.



Bulla, C.J.



Gibbons, J.



Westbrook, J.

cc: Hon. Monica Trujillo, District Judge
Attorney General/Carson City
Clark County District Attorney
Terrell Cochise Young
Eighth Judicial District Court Clerk