

IN THE SUPREME COURT OF THE STATE OF NEVADA

CLARK LEE WILLIAMS,  
Appellant,  
vs.  
JACK PALMER, AS WARDEN OF THE  
STEWART CONSERVATION CAMP,  
Respondent.

No. 59224

**FILED**

JUL 26 2012

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY R. Malone  
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order denying appellant Clark Williams' amended post-conviction petition for a writ of habeas corpus. Fourth Judicial District Court, Elko County; Fourth Judicial District Court, Dept. 1, Judge.

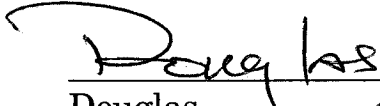
Williams contends that the district court erred by not finding that counsel was ineffective for failing to (1) object to or file a pretrial habeas petition challenging the amended criminal complaint, (2) oppose the State's motion in limine, (3) offer a jury instruction defining "passive occupant," (4) offer a "two theories" jury instruction, (5) call a certain witness to testify on his behalf at trial, (6) object to the allegation of habitual criminality, and (7) make a correction to the presentence investigation report.<sup>1</sup>

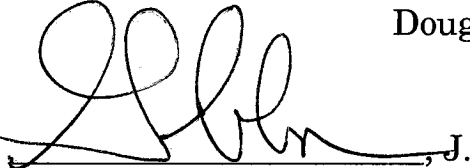
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<sup>1</sup>We note that Williams fails to provide any cogent argument in support of his claims. See generally Maresca v. State, 103 Nev. 669, 673, 748 P.2d 3, 6 (1987) ("It is appellant's responsibility to present relevant authority and cogent argument; issues not so presented need not be addressed by this court.").

Williams' petition was untimely filed more than two and a half years after the entry of his judgment of conviction and, failing to demonstrate good cause, prejudice, or a miscarriage of justice, the district court should have denied his petition on this basis alone. See NRS 34.726(1); Mazzan v. Warden, 112 Nev. 838, 842, 921 P.2d 920, 922 (1996). Nevertheless, the district court conducted an evidentiary hearing, considered the merits of Williams' petition, and concluded that trial counsel was not deficient and that Williams failed to demonstrate prejudice. See Strickland v. Washington, 466 U.S. 668, 687-88, 694 (1984); Kirksey v. State, 112 Nev. 980, 987, 923 P.2d 1102, 1107 (1996). We conclude that the district court reached the right result, albeit for the wrong reason. Wyatt v. State, 86 Nev. 294, 298, 468 P.2d 338, 341 (1970) ("If a judgment or order of a trial court reaches the right result, although it is based on an incorrect ground, the judgment or order will be affirmed on appeal."). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Parraguirre

cc: Fourth Judicial District Court Dept. 1, District Judge  
Belanger & Plimpton  
Attorney General/Carson City  
Elko County District Attorney  
Elko County Clerk