

IN THE SUPREME COURT OF THE STATE OF NEVADA

MATTHEW HARGRAVE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 62386

FILED

SEP 18 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY R. Malone
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.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.

Appellant filed his petition on October 29, 2012, more than two years after entry of the judgment of conviction on March 26, 2010.² Thus, appellant's petition was untimely filed and procedurally barred absent a demonstration of good cause—cause for the delay and undue prejudice. *See* NRS 34.726(1).


Appellant appeared to assert that he had good cause due to counsel's failure to inform him of his right to file a direct appeal. The failure to provide information about an appeal does not provide good cause for a late petition. *See Hathaway v. State*, 119 Nev. 248, 252-53, 71 P.3d

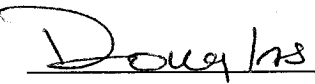
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

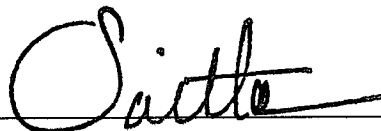
²No direct appeal was taken.

503, 506 (2003). In addition, appellant was informed of his limited right to file a direct appeal in the guilty plea agreement. Therefore, the district court did not err in denying the petition as procedurally barred. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Hon. Linda Marie Bell, District Judge
Matthew Hargrave
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk