

IN THE SUPREME COURT OF THE STATE OF NEVADA

ZEPHANIAH BULLOCK,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 63723

**FILED**

**JAN 21 2014**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *D. Malone*  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

This is a proper person appeal from a district court order denying a post-conviction petition for a writ of habeas corpus.<sup>1</sup> Eighth Judicial District Court, Clark County; Douglas Smith, Judge.

Appellant filed his post-conviction petition on March 5, 2013, more than two years after entry of the judgment of conviction on February 24, 2011. Therefore, appellant's petition was untimely filed. *See* NRS 34.726(1). His petition was procedurally barred absent a demonstration of good cause and undue prejudice. *See id.*

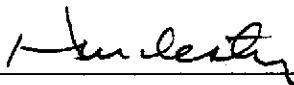
As cause for the delay, appellant explained that he "didn't know the legal procedures and [he] told [his] public defender to do it and he agreed." With the exception of his appeal-deprivation claim, the district court denied appellant's claims because he had not shown good cause for the delay in filing his petition. After an evidentiary hearing, the


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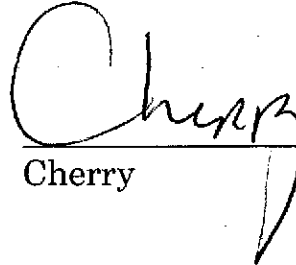
<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

district court denied appellant's appeal-deprivation claim, finding that he had not communicated to counsel his desire to appeal the judgment of conviction. Appellant failed to demonstrate that an impediment external to the defense excused his procedural defects. *See Hathaway v. State*, 119 Nev. 248, 252, 71 P.3d 503, 506 (2003). And the record supports the district court's rejection of appellant's appeal-deprivation claim. *See Riley v. State*, 110 Nev. 638, 647, 878 P.2d 272, 278 (1994) (observing that the district court's factual findings regarding ineffective assistance of counsel are entitled to deference when reviewed on appeal). Because the district court did not err by denying appellant's petition, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Hardesty

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

  
\_\_\_\_\_, J.  
Cherry

cc: Hon. Douglas Smith, District Judge  
Zephaniah Bullock  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk