

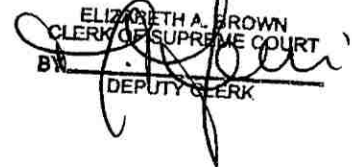
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JAQUAN COLLINS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 85616-COA

FILED

MAR 17 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Jaquan Collins appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on July 1, 2022. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

Collins filed his petition nearly three years after entry of the judgment of conviction on July 25, 2019.¹ Thus, Collins' petition was untimely filed. *See* NRS 34.726(1). Collins' petition was procedurally barred absent a demonstration of good cause—cause for the delay and undue prejudice. *See id.*

Collins failed to allege he had good cause for failing to file a timely petition. Therefore, we conclude that the petition was procedurally

¹Collins did not appeal from his judgment of conviction.

barred and the district court did not err by denying the petition.²
Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Michelle Leavitt, District Judge
Jaquan Collins
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²The district court erred by reaching the merits of the petition. *See State v. Eighth Judicial Dist. Court (Riker)*, 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005) (holding that the application of the procedural bars is mandatory). We nevertheless affirm because the district court reached the correct result. *See Wyatt v. State*, 86 Nev. 294, 298, 468 P.2d 338, 341 (1970).