

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MARTIN NARES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 86291-COA

FILED

NOV 22 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Martin Nares appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on December 9, 2022. Eighth Judicial District Court, Clark County; Tierra Danielle Jones, Judge.

Nares filed his petition more than two years after entry of the judgment of conviction on April 20, 2019. Thus, Nares' petition was untimely filed. *See* NRS 34.726(1). Nares' petition was procedurally barred absent a demonstration of good cause—cause for the delay and undue prejudice. *See id.* Nares did not argue below that he had good cause to excuse the delay, nor does he argue on appeal that the district court erred by denying his petition as procedurally barred. Accordingly, we conclude the district court did not err by denying Nares' petition as procedurally time-barred, *see State v. Eighth Judicial Dist. Court (Riker)*, 121 Nev. 225,

22-38092

231, 112 P.3d 1070, 1074 (2005) (holding the application of the procedural bars is mandatory), and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Tierra Danielle Jones, District Judge
Martin Nares
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk