IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MOHAMED ABDALLA MAHMOUD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 84408-COA

FILED

OCT 21 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY_____
DEPUTY CLERK

ORDER OF AFFIRMANCE

Mohamed Abdalla Mahmoud appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on December 2, 2021.[1] Eighth Judicial District Court, Clark County; Jerry A. Wiese, Chief Judge.

Mahmoud filed his petition more than two years after entry of the judgment of conviction on September 5, 2019.[2] Thus, Mahmoud's petition was untimely filed. *See* NRS 34.726(1). Mahmoud's petition was procedurally barred absent a demonstration of good cause—cause for the delay and undue prejudice. *See id.* Mahmoud failed to allege good cause to
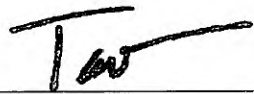
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[1]Mahmoud's pleading was captioned as a postsentence motion to withdraw guilty plea. The district court properly construed the pleading as a postconviction petition for a writ of habeas corpus. *See Harris v. State*, 130 Nev. 435, 448-49, 329 P.3d 619, 628 (2014).

[2]Mahmoud did not pursue a direct appeal.

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overcome the procedural bar. Therefore, we conclude the district court did not err by denying his petition, and we

ORDER the judgment of the district court AFFIRMED.[3]

_____, C.J.
Gibbons

_____, J.
Tao

_____, J.
Bulla

cc: Hon. Jerry A. Wiese, Chief Judge
Mohamed Abdalla Mahmoud
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

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[3]The district court failed to address the procedural bar and instead addressed Mahmoud's claims on the merits. We conclude this was error. *See State v. Eighth Judicial Dist. Court (Riker)*, 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005) ("Application of the statutory procedural default rules to post-conviction habeas petitions is mandatory."). We nevertheless affirm the district court's denial of relief for the reasons stated herein. *See Wyatt v. State*, 86 Nev. 294, 298, 468 P.2d 338, 341 (1970) (holding a correct result will not be reversed simply because it is based on the wrong reason).