

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAILONI DEANDRE MORRISON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 44745

FILED

MAY 19 2005

ORDER OF AFFIRMANCE

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

This is a proper person appeal from an order of the district court denying appellant Lailoni Deandre Morrison's post-conviction petition for a writ of habeas corpus and motion for appointment of counsel. Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

On August 8, 2002, the district court convicted Morrison, pursuant to a jury verdict, of second-degree murder with the use of a deadly weapon. The district court sentenced Morrison to serve two consecutive terms of life in the Nevada State Prison with the possibility of parole after ten years. This court affirmed Morrison's judgment of conviction and sentence on direct appeal.¹ The remittitur issued on June 29, 2004.

On November 10, 2004, Morrison filed a proper person post-conviction petition for a writ of habeas corpus and a motion to appoint counsel in the district court. The State opposed the petition and motion. Pursuant to NRS 34.750 and 34.770, the district court declined to appoint counsel to represent Morrison or to conduct an evidentiary hearing. On

¹Morrison v. State, Docket No. 40097 (Order of Affirmance, June 3, 2004).

January 12, 2005, the district court denied Morrison's petition. This appeal followed.

In his petition, Morrison first alleged that his trial and appellate counsel were ineffective. However, Morrison provided no facts whatsoever to support this assertion. Instead, Morrison stated in his petition, "I am indigent and do not understand the law and need counsel appointed to help me complete this petition and file a supplemental petition."

We conclude that the district court did not err in denying these claims. Morrison failed to include specific facts to support his ineffective assistance of counsel claims.² Further, Morrison did not demonstrate that the district court abused its discretion in denying his request for the appointment of counsel.³ Therefore, we affirm the order of the district court in this regard.

Next, Morrison argued that: (1) the district court erred in denying a motion to suppress his statement; (2) the district court improperly limited the cross-examination of witness Pam Neal; (3) the district court erred in admitting the prior consistent statements of Anthony Gantt; (4) the district court erred in denying his motion for a mistrial; and (5) several of the jury instructions were erroneous. This court already considered and rejected these claims on direct appeal. The doctrine of the law of the case prevents further litigation of these issues


²See Hargrove v. State, 100 Nev. 498, 686 P.2d 222 (1984).

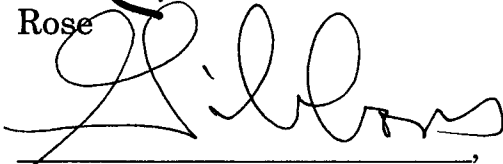
³See NRS 34.750(1).

and "cannot be avoided by a more detailed and precisely focused argument."⁴ Thus, the district court did not err in denying these claims.

Having reviewed the record on appeal, and for the reasons set forth above, we conclude that Morrison is not entitled to relief and that briefing and oral argument are unwarranted.⁵ Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Rose


_____, J.
Gibbons


_____, J.
Hardesty

cc: Hon. Michelle Leavitt, District Judge
Lailoni Deandre Morrison
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

⁴Hall v. State, 91 Nev. 314, 316, 535 P.2d 797, 799 (1975).

⁵See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).