

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN RICHARD CROPPER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 44834

**FILED**

OCT 24 2005

ORDER OF AFFIRMANCE

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

This is an appeal from an order of the district court denying appellant Steven Richard Cropper's post-conviction petition for a writ of habeas corpus. Second Judicial District Court, Washoe County; Steven P. Elliott, Judge.

On December 20, 2001, Cropper was convicted, pursuant to a guilty plea, of seven counts of embezzlement. The district court sentenced Cropper to serve eight consecutive prison terms of 26-120 months and ordered him to pay \$781,215.00 in restitution.<sup>1</sup> Cropper did not pursue a direct appeal from the judgment of conviction.

On October 2, 2002, Cropper filed a proper person post-conviction petition for a writ of habeas corpus in the district court. The district court appointed counsel to represent Cropper, and counsel filed supplemental points and authorities in support of the petition. The State opposed Cropper's petition. The district court conducted an evidentiary hearing, directed the parties to submit post-hearing briefs, and on March

---

<sup>1</sup>For one of the embezzlements counts, Cropper received an additional, equal and consecutive prison term. See NRS 193.167(1)(h) (elderly victim sentence enhancement).

1, 2005, entered an order denying Cropper's petition. This timely appeal followed.

In his petition below, Cropper contended, among other things, that: (1) his guilty plea was not entered knowingly and voluntarily, and that he should be allowed to withdraw his guilty plea "as to all counts," because he was never informed that he would receive a sentence enhancement for victimizing a person 60 years of age or older; (2) counsel was ineffective for failing to present mitigation evidence at his sentencing hearing; and (3) counsel was ineffective, and his guilty plea unknowing, because he was not informed that his "gambling addiction could have been a defense."<sup>2</sup>

The district court found that Cropper's counsel was not ineffective and that his valid guilty plea was entered knowingly and voluntarily. The district court's factual findings are entitled to deference when reviewed on appeal.<sup>3</sup> In his appeal, Cropper has not demonstrated, let alone alleged, that the district court's findings of fact are not supported by substantial evidence or are clearly wrong. Moreover, Cropper has not demonstrated or even alleged that the district court erred as a matter of law.<sup>4</sup> Therefore, we conclude that the district court did not err in denying Cropper's petition.

---

<sup>2</sup>Cropper raised additional issues in the proceedings below that have apparently been abandoned on appeal.

<sup>3</sup>See Riley v. State, 110 Nev. 638, 647, 878 P.2d 272, 278 (1994).

<sup>4</sup>Cropper's fast track statement is an exact copy of the post-hearing brief he filed in the district court.

Accordingly, having considered Cropper's contentions and concluded that they are without merit, we

ORDER the judgment of the district court AFFIRMED.

Douglas, J.  
Douglas

Rose, J.  
Rose

Parraguirre, J.  
Parraguirre

cc: Hon. Steven P. Elliott, District Judge  
Hardy & Associates  
Attorney General Brian Sandoval/Carson City  
Washoe County District Attorney Richard A. Gammick  
Washoe District Court Clerk