

IN THE SUPREME COURT OF THE STATE OF NEVADA

RUBEN CAMACHO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 46381

FILED

APR 07 2006

ORDER OF AFFIRMANCE

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

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

Appellant Ruben Camacho was originally convicted, pursuant to a guilty plea, of three counts of trafficking in a controlled substance. On direct appeal, this court affirmed the judgment of conviction.¹ Camacho filed a timely post-conviction petition for a writ of habeas corpus. After conducting an evidentiary hearing, the district court denied the petition.

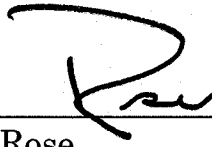
In the petition, Camacho presented claims of ineffective assistance of counsel. Specifically, Camacho argued that his guilty plea was predicated on counsel's assurance that he would prevail on appeal and get the longest of Camacho's three sentences reversed. The district court found that Camacho's claim was belied by the plea agreement and the transcript of the plea canvass. Moreover, at the evidentiary hearing, Camacho's trial counsel testified that he did not make any promises to Camacho regarding the sentence or the likelihood of success on appeal. The district court's factual findings regarding a claim of ineffective

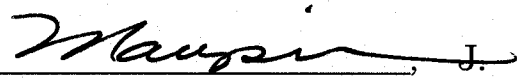
¹Camacho v. State, 119 Nev. 395, 75 P.3d 370 (2003).

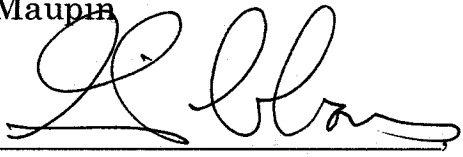
assistance of counsel are entitled to deference when reviewed on appeal.² Camacho has not demonstrated that the district court's findings of fact are not supported by substantial evidence or are clearly wrong. Moreover, appellant has not demonstrated that the district court erred as a matter of law.

Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Rose


_____, J.
Maupin


_____, J.
Gibbons

cc: Hon. Robert H. Perry, District Judge
Scott W. Edwards
Attorney General George Chanos/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

²See Riley v. State, 110 Nev. 638, 647, 878 P.2d 272, 278 (1994).