

IN THE SUPREME COURT OF THE STATE OF NEVADA


EDGAR GUSTAVO RUIZ,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 47989

**FILED**

MAR 02 2007

ORDER OF AFFIRMANCE

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

This is a proper person appeal from an order of the district court dismissing a post-conviction petition for a writ of habeas corpus. Second Judicial District Court, Washoe County; Janet J. Berry, Judge.

On July 13, 2005, the district court convicted appellant, pursuant to a guilty plea, of two counts of sexual assault. The district court sentenced appellant to serve concurrent terms of life in the Nevada State Prison with the possibility of parole. The terms in the instant case were imposed to run consecutively with the sentences in district court case numbers CR01-2112 and CR02-2132. The district court further imposed the special sentence of lifetime supervision. This court dismissed appellant's direct appeal as it was untimely filed.<sup>1</sup>

On July 12, 2006, appellant filed a proper person post-conviction petition for a writ of habeas corpus in the district court.

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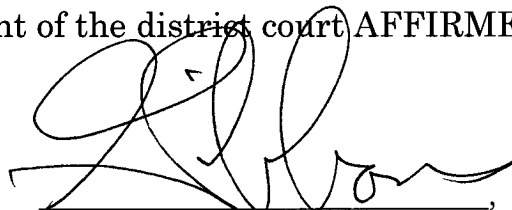
<sup>1</sup>Ruiz v. State, Docket No. 45821 (Order Dismissing Appeal, March 24, 2006). Because of delays in processing the direct appeal, this court determined that appellant had good cause to file a post-conviction petition for a writ of habeas corpus within one year from the date of this court's order dismissing the appeal.

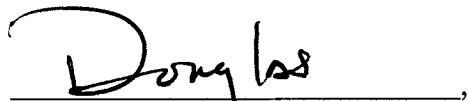
Pursuant to NRS 34.750 and 34.770, the district court declined to appoint counsel to represent appellant or to conduct an evidentiary hearing. On August 1, 2006, the district court dismissed appellant's petition. This appeal followed.

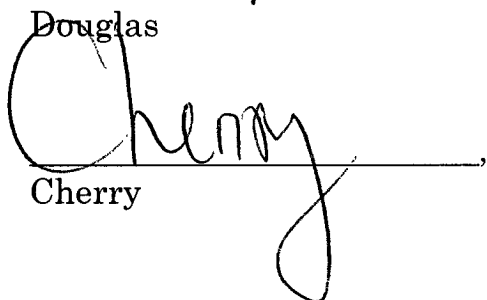
In his petition, appellant contended that he received ineffective assistance of counsel and that his due process rights had been violated. However, appellant offered no specific facts in support of these claims. Because appellant failed to support his claims with specific facts, we conclude that the district court did not err in dismissing the petition.<sup>2</sup>

Having reviewed the record on appeal, and for the reasons set forth above, we conclude that appellant is not entitled to relief and that briefing and oral argument are unwarranted.<sup>3</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Cherry

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

<sup>3</sup>See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

cc: Hon. Janet J. Berry, District Judge  
Edgar Gustavo Ruiz  
Attorney General Catherine Cortez Masto/Carson City  
Washoe County District Attorney Richard A. Gammick  
Washoe District Court Clerk