

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSE RAMON TERRAZAS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 49523

FILED

SEP 07 2007

ORDER OF AFFIRMANCE

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY A. Warado
DEPUTY CLERK

This is an appeal from a district court order dismissing appellant's post-conviction petition for a writ of habeas corpus. Second Judicial District Court, Washoe County; Jerome Polaha, Judge.

On March 29, 2005, appellant Jose Ramon Terrazas was convicted, pursuant to a guilty plea, of one count of second-degree murder. The district court sentenced Terrazas to serve a prison term of 10 to 25 years. Terrazas did not file a direct appeal.

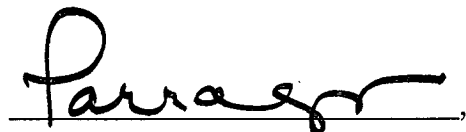
On December 15, 2005, Terrazas filed a proper person post-conviction petition for a writ of habeas corpus. The State opposed the petition. The district court appointed counsel, and counsel filed a supplement to the petition. Without conducting an evidentiary hearing, the district court denied the petition. Terrazas filed this timely appeal.

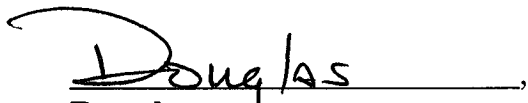
Terrazas contends that the district court erred in denying his claim that defense counsel was ineffective. In particular, Terrazas contends that he was entitled to an evidentiary hearing on his claim that defense counsel was ineffective for failing to investigate the victim's propensity for violence. Terrazas alleges that his "chances of acquittal were great as he had a complete [defense of] self-defense."

The district court found that defense counsel was not ineffective under the standard set forth in Strickland v. Washington.¹ The district court's findings regarding claims of ineffective assistance of counsel are entitled to deference when reviewed on appeal.² Terrazas has not demonstrated that the district court's findings of fact are not supported by substantial evidence or are clearly wrong. Moreover, Terrazas has not demonstrated that the district court erred as a matter of law. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


Hardesty, J.


Parraguirre, J.


Douglas, J.

cc: Hon. Jerome Polaha, District Judge
Kay Ellen Armstrong
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

¹466 U.S. 668 (1984).

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