

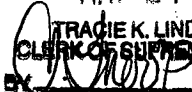
IN THE SUPREME COURT OF THE STATE OF NEVADA

PAUL ANTHONY MORALES,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 51977

**FILED**

ORDER OF AFFIRMANCE

MAY 27 2009  
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

This is a proper person appeal from an order of the district court denying appellant Paul Morales' post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; James M. Bixler, Judge.

On May 4, 2005, the district court convicted appellant, pursuant to a jury verdict, of one count of burglary while in possession of a firearm, one count of conspiracy to commit robbery, two counts of robbery with the use of a deadly weapon, and one count of ex-felon in possession of a firearm. The district court adjudicated appellant a habitual criminal pursuant to NRS 207.010(1), and sentenced appellant to serve three terms of life in the Nevada State Prison with the possibility of parole after ten years for the robbery and burglary counts, a term of one to four years for conspiracy to commit robbery, and a term of one to five years for the ex-felon in possession count. All terms were imposed to run concurrently. This court affirmed the judgment of conviction on direct appeal. Morales

v. State, Docket No. 45191 (Order of Affirmance, March 22, 2007). The remittitur issued on April 17, 2007.

On February 8, 2008, appellant filed a proper person post-conviction petition for a writ of habeas corpus in the district court. Appellant also filed a request for the appointment of counsel. The State opposed the petition. 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 June 2, 2008, the district court denied the petition. This appeal followed.

A petitioner is not entitled to relief based on “bare” or “naked” claims. Hargrove v. State, 100 Nev. 498, 502, 686 P.2d 222, 225 (1984). Rather, the petitioner bears the burden of alleging specific facts which, if true, would entitle the petitioner to relief. Id. at 502-503, 686 P.2d at 225; see also NRS 34.735(6). Beyond his bare allegations that he received ineffective assistance of trial and appellate counsel, appellant did not allege any specific facts to support his claim. Therefore, the district court did not err in denying appellant’s petition.<sup>1</sup>

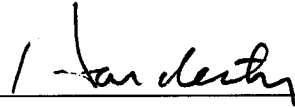
Having reviewed the record on appeal and for the reasons set forth above, we conclude that appellant is not entitled to relief and that


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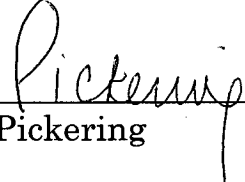
<sup>1</sup>Given appellant’s failure to make any specific factual allegations, we further conclude that the district court did not abuse its discretion in denying appellant’s request to appoint post-conviction counsel. See NRS 34.750(1).

briefing and oral argument are unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Pickering

cc: Hon. James M. Bixler, District Judge  
Paul Anthony Morales  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk