

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTHONY JAMES ESPARZA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 52771

FILED

APR 07 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

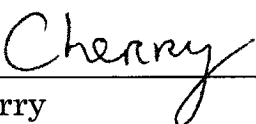
This is an appeal from an order of the district court denying an April 29, 2008, post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Kenneth C. Cory, Judge.


On appeal, appellant first argues that the district court erred in denying his claims of ineffective assistance of trial counsel. Second, appellant argues that the district court erred in denying his claims that his appellate counsel was ineffective for failing to obtain the complete case file, failing to obtain and/or review audio and video evidence, and failing to establish plain error for all of the claims set forth on direct appeal. Third, appellant argues that the district court during trial erred as follows: (1) failing to rule on an objection; (2) allowing certain hearsay statements to be considered; (3) failing to conduct a competency hearing of the alleged child victim; (4) personally addressing the jury in regards to appellant's absence from trial; (5) conducting trial without the presence of appellant after concluding that appellant voluntarily failed to appear at trial; and (6) refusing to grant a pretrial request for withdrawal of attorney. Fourth, appellant argues that the district court erred in determining that his claims that the State failed to disclose all material information to the


defense and the State committed misconduct for failing to request that appellant undergo a psychological exam were waived under NRS 34.810(1)(b)(2). Fifth, appellant argues that the district court erred by determining that his claim that the State committed prosecutorial misconduct by vouching for witnesses is barred by law of the case. Finally, appellant argues that the district court erred in denying his claim that due to the cumulative effect of the above errors, his convictions should be reversed.

Appellant fails to provide cogent argument as to how or why the district court erred in denying these claims. "It is appellant's responsibility to present relevant authority and cogent argument; issues not so presented need not be addressed by this court." Maresca v. State, 103 Nev. 669, 673, 748 P.2d 3, 6 (1987). Therefore, appellant fails to demonstrate that he is entitled to relief. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Kenneth C. Cory, District Judge
Anthony M. Goldstein
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk