

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER BROWN JOSEPH,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

CHRISTOPHER BROWN JOSEPH,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 34593

**FILED**

MAR 30 2000

JANETTE M. BLOCH  
CLERK OF SUPREME COURT  
BY *J. Schan*  
CHIEF DEPUTY CLERK

No. 34825

ORDER DISMISSING APPEALS

Appellant appeals from an order of the district court denying his post-conviction petition for a writ of habeas corpus.<sup>1</sup>

The district court convicted appellant, pursuant to a guilty plea, of trafficking in a controlled substance and sentenced him to 25 years in the Nevada State Prison. He did not file a direct appeal.

Appellant filed a timely proper person post-conviction habeas petition claiming his counsel was


<sup>1</sup>The district court initially entered a summary order denying the petition and appellant appealed. See Docket No. 34593. The district court subsequently entered findings of fact and conclusions of law in support of the denial. Appellant appealed again. See Docket No. 34825. This court consolidated the appeals on October 25, 1999, pursuant to appellant's motion.

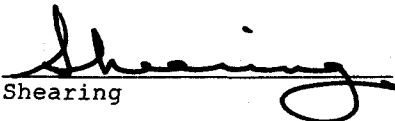
01-05005

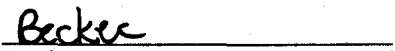
ineffective and had coerced him into pleading guilty. The district court appointed counsel,<sup>2</sup> conducted an evidentiary hearing, and denied the petition.

Appellant contends that he did not want to plead guilty and that his counsel coerced him into doing so. Our review of the relevant transcripts persuades us that the district court did not err. Moreover, appellant's counsel testified at the evidentiary hearing that he consistently assured appellant he was ready to go to trial and that he did nothing to discourage a trial or coerce a guilty plea. The question of whether a defendant has received ineffective assistance of counsel is a mixed question of law and fact that is subject to independent review; however, the district court's factual findings are entitled to deference on review. *Hill v. State*, 114 Nev. 169, 175, 953 P.2d 1077, 1082 (1998), cert. denied, 525 U.S. 1042 (1998); *Riley v. State*, 110 Nev. 638, 647, 878 P.2d 272, 278 (1994). There is sufficient evidence in the record before this court to support the district court's conclusion that appellant received effective assistance of counsel. Accordingly, we

ORDER these appeals dismissed.

  
Maupin J.

  
Shearing J.

  
Becker J.

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<sup>2</sup>Counsel filed supplemental points and authorities in support of the petition.

cc: Hon. Brent T. Adams, District Judge  
Attorney General  
Washoe County District Attorney  
Scott W. Edwards  
Washoe County Clerk