

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL EDWARD SHELINE,  
Appellant,  
vs.  
GREGORY SMITH, WARDEN, NEVADA  
STATE PRISON,  
Respondent.

No. 57920

MICHAEL EDWARD SHELINE,  
Appellant,  
vs.  
GREGORY SMITH, WARDEN, NEVADA  
STATE PRISON,  
Respondent.

No. 57921

**FILED**

**MAR 07 2012**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *R. Maline*  
DEPUTY CLERK

ORDER OF AFFIRMANCE

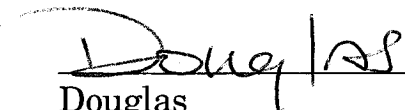
These are consolidated appeals from district court orders denying appellant Michael Edward Sheline's post-conviction petitions for writs of habeas corpus. Second Judicial District Court, Washoe County; Janet J. Berry, Judge.


Sheline contends that the district court erred by not finding that counsel was ineffective for failing to advise him about his right to appeal and present mitigation evidence at sentencing. Sheline also contends that the coercive nature of his package plea deal rendered his plea invalid and the district court erred by rejecting this claim without conducting an evidentiary hearing. We disagree.

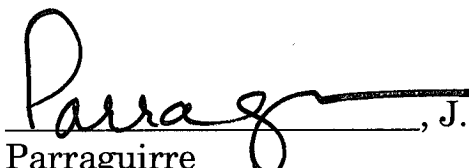
When reviewing the district court's resolution of an ineffective-assistance claim, we give deference to the court's factual findings if they are supported by substantial evidence and not clearly wrong but review the court's application of the law to those facts de novo. Lader v. Warden, 121 Nev. 682, 686, 120 P.3d 1164, 1166 (2005). Here,

the district court conducted an evidentiary hearing on Sheline's ineffective-assistance claims and concluded trial counsel was not deficient and that Sheline failed to demonstrate prejudice. See Strickland v. Washington, 466 U.S. 668, 687-88, 694 (1984); Kirksey v. State, 112 Nev. 980, 987, 923 P.2d 1102, 1107 (1996); see also Thomas v. State, 115 Nev. 148, 150, 979 P.2d 222, 223 (1999). The district court also found that an evidentiary hearing was not warranted to address the validity of Sheline's guilty plea because his claim was belied by the record. See generally Bryant v. State, 102 Nev. 268, 272, 721 P.2d 364, 368 (1986); see also NRS 34.770; Thomas v. State, 120 Nev. 37, 44, 83 P.3d 818, 823 (2004). We conclude that the district court's findings are supported by substantial evidence and not clearly wrong, and Sheline has not demonstrated that the district court erred as a matter of law. Accordingly, we

ORDER the judgments of the district court AFFIRMED.

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

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

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

cc: Hon. Janet J. Berry, District Judge  
Law Office of Thomas L. Qualls, Ltd.  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk