

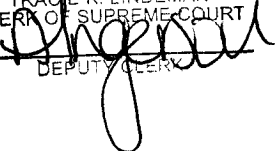
IN THE SUPREME COURT OF THE STATE OF NEVADA

CORDALE BELL,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 62304

**FILED**

OCT 17 2013

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

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

Bell contends that the district court erred by dismissing his supplemental petition without conducting an evidentiary hearing on his claim that he was under the influence of a powerful antipsychotic drug and counsel was ineffective for failing to inform the district court of his incompetency. The district court heard argument on the State's motion to dismiss the supplemental petition and found that Bell's claim was (1) conclusory because it failed to identify facts relevant to the standard for determining competency and (2) repelled by the record because the record showed that Bell understood the nature of the charge and was able to assist defense counsel. The district court's findings are supported by the record and are not clearly wrong, *see Allen v. Calderon*, 408 F.3d 1150, 1152 (9th Cir. 2005) ("Findings of fact made by the district court relevant to the dismissal of the habeas petition are reviewed for clear error."), and we conclude that the district court did not err by dismissing Bell's

supplemental petition without an evidentiary hearing, *see Nika v. State*, 124 Nev. 1272, 1300-01, 198 P.3d 839, 858 (2008) (explaining that a petitioner's habeas claims must consist of more than bare allegations, and he is only entitled to an evidentiary hearing if he has asserted specific factual allegations that are not belied or repelled by the record and that, if true, would entitle him to relief). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Hardesty, J.  
Hardesty

Parraguirre, J.  
Parraguirre

Cherry, J.  
Cherry

cc: Hon. Connie J. Steinheimer, District Judge  
The Digesti Law Firm, Ltd.  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk