

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICARDO RICKY PINA A/K/A RICKY  
RICARDO PINA,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 65422

**FILED**

OCT 15 2014

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *T. Malone*  
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

This is an appeal from a district court order denying appellant Ricardo Pina's post-conviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Carolyn Ellsworth, Judge.

Pina argues that the district court erred by denying his claims that counsel was ineffective for failing to investigate and prepare for sentencing. We review the district court's resolution of ineffective-assistance claims de novo, giving deference to the court's factual findings if they are supported by substantial evidence and not clearly wrong. *Lader v. Warden*, 121 Nev. 682, 686, 120 P.3d 1164, 1166 (2005). Here, the district court conducted a hearing on Pina's habeas petition and found, among other things, that Pina made no showing that (1) a better investigation had a reasonable probability of producing a more favorable outcome, (2) he was prejudiced by the inclusion of a 1992 conviction in his presentence investigation report, and (3) he was prejudiced by an accumulation of counsel's deficiencies. Our review of the record reveals that the district court's factual findings are supported by substantial evidence and are not clearly wrong, and Pina has not demonstrated that the district court erred as a matter of law. *See Strickland v. Washington*,

466 U.S. 668, 687 (1984) (establishing two-part test for ineffective assistance of counsel); *Kirksey v. State*, 112 Nev. 980, 987, 923 P.2d 1102, 1107 (1996) (adopting the test in *Strickland*); *see also Molina v. State*, 120 Nev. 185, 192, 87 P.3d 533, 538 (2004) (a petitioner claiming that counsel did not conduct an adequate investigation must specify what a more thorough investigation would have uncovered). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Pickering, J.  
Pickering

Parraguirre, J.  
Parraguirre

Saitta, J.  
Saitta

cc: Hon. Carolyn Ellsworth, District Judge  
Terrence M. Jackson  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk