

IN THE SUPREME COURT OF THE STATE OF NEVADA

FELIPE G. GALEANA,

No. 36216

Appellant,

FILED

vs.

OCT 24 2000

THE STATE OF NEVADA,

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

Respondent.

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of incest. The district court sentenced appellant to serve 48 to 120 months in prison, with a term of lifetime supervision to commence upon his release from prison.

Appellant raises various claims of ineffective assistance of counsel. These claims have not previously been raised in the district court. Claims of ineffective assistance of counsel may not be raised on direct appeal, "unless there has already been an evidentiary hearing." *Feazell v. State*, 111 Nev. 1446, 1449, 906 P.2d 727, 729 (1995). In this case, there has been no evidentiary hearing, so appellant's claims are more appropriately raised in a post-conviction proceeding in the district court pursuant to NRS chapter 34. Accordingly, we need not consider appellant's claims on direct appeal and we

ORDER this appeal dismissed.

Shearing

Shearing

J.

Agosti

Agosti

J.

Leavitt

Leavitt

J.

cc: Hon. Lee A. Gates, District Judge
Attorney General
Clark County District Attorney
Christopher R. Oram
Clark County Clerk