

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JEREMY LEE STUTTS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 81601-COA

FILED

JUN 25 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

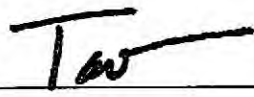
Jeremy Lee Stutts appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on December 28, 2018, and a supplemental petition filed on May 10, 2019. Third Judicial District Court, Lyon County; John Schlegelmilch, Judge.

Stutts claims the district court erred by denying his claim of ineffective assistance of trial-level counsel for failing to present additional mitigating evidence in support of the plea bargain. Stutts fails to indicate what counsel should have presented or how it would have affected the outcome of Stutts' sentencing. *See Strickland v. Washington*, 466 U.S. 668, 687-88 (1984) (holding that, to demonstrate ineffective assistance of counsel, a petitioner must show counsel's performance was deficient in that it fell below an objective standard of reasonableness and prejudice resulted in that there was a reasonable probability of a different outcome absent

counsel's errors). Because Stutts fails to demonstrate counsel was ineffective, we cannot conclude the district court erred. Accordingly, we

ORDER the judgment of the district court AFFIRMED.¹


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. John Schlegelmilch, District Judge
Karla K. Butko
Attorney General/Carson City
Lyon County District Attorney
Third District Court Clerk

¹To the extent Stutts challenges by reference the district court's decision as to any other claims in his petition, we conclude he is not entitled to relief. *Cf.* NRAP 28(e)(2) (noting arguments on the merits of the appeal may not be incorporated by reference); *see also Maresca v. State*, 103 Nev. 669, 673, 748 P.2d 3, 6 (1987) (holding that issues not cogently argued need not be addressed).