

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARRIN CURTIS SANFORD,
Appellant,
vs.
WARDEN, NEVADA STATE PRISON,
E.K. MCDANIEL,
Respondent.

No. 37769

FILED

APR 09 2003

ORDER OF AFFIRMANCE

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

This is an appeal from an order of the district court dismissing appellant's post-conviction petition for a writ of habeas corpus.

On June 29, 1998, the district court convicted appellant, pursuant to a jury verdict, of two counts of sexual assault (counts I & II), and pursuant to a guilty plea, of one count of ex-felon in possession of a firearm (count III). The district court sentenced appellant to serve two concurrent prison terms of life with the possibility of parole after ten years for counts I and II, and a consecutive prison term of twelve to forty-eight months for count III. This court dismissed appellant's direct appeal.¹

On April 13, 1999, appellant filed a proper person post-conviction petition for a writ of habeas corpus in the district court. The State opposed the petition. The district court appointed counsel, who

¹Sanford v. State, Docket No. 32781 (Order Dismissing Appeal, September 8, 2000).

supplemented appellant's petition. On February 12, 2001, the district court conducted an evidentiary hearing. On March 26, 2001, the district court dismissed appellant's petition. This appeal followed.

Appellant claims that the district court erred in rejecting his claims that he was never arraigned on the ex-felon in possession of a firearm charge in violation of NRS 202.360. Appellant also contends that the district court erroneously dismissed his claim that he was coerced by trial counsel to enter a guilty plea to the ex-felon in possession of a firearm charge. Additionally, appellant contends that the district court erroneously dismissed his claims that his trial and appellate counsel were ineffective for: (1) failing to explore the search and seizure issues of the case; (2) failing to investigate and interview potential defense witnesses that appellant had specified; (3) advising appellant not to testify at trial; (4) failing to bring to the court's attention an inaccurate article published in the local newspaper the day before the jury's deliberations; (5) failing to poll the jurors "knowing that there could very well have been intimidation of some of them;" and (6) failing to raise all three issues contained in the docketing statement.

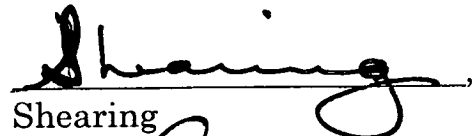
Appellant's brief fails to present any cogent argument with respect to appellant's arraignment, the voluntariness of his guilty plea, or the ineffectiveness of his counsel. The brief fails to demonstrate that the district court erred as a matter of law in denying his petition.²


²See Maresca v. State, 103 Nev. 669, 673, 748 P.2d 3, 6 (1987).


Nonetheless, we have considered appellant's contentions and we conclude that the district court did not err.

Having considered appellant's contentions and concluded that they lack merit, we

ORDER the judgment of the district court AFFIRMED.

 J.
Shearing

 J.
Leavitt

 J.
Becker

cc: Hon. David A. Huff, District Judge
Attorney General/Carson City
Lyon County District Attorney
Carl E. Anderson
Lyon County Clerk