

IN THE SUPREME COURT OF THE STATE OF NEVADA

DONACIANO ZAMBRANO,

No. 37882

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

NOV 16 2001

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

ORDER OF AFFIRMANCE

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

On July 27, 1995, appellant Donaciano Zambrano was convicted, pursuant to a jury trial, of one count of level-two trafficking in a controlled substance and one count of possession of a controlled substance for the purpose of sale. The district court sentenced Zambrano to serve a prison term of 35 years on the trafficking count and a concurrent prison term of 10 years on the possession count. Zambrano filed a direct appeal, and this court affirmed his conviction.¹ Zambrano then filed a post-conviction petition for a writ of habeas corpus.

In the petition, appellant presented claims of ineffective assistance of counsel. The district court found that counsel was not ineffective. The district court's factual findings regarding a claim of ineffective assistance of counsel are entitled to deference when reviewed

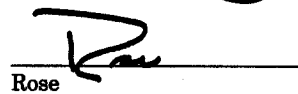
¹Zambrano v. State, Docket No. 27530 (Order Dismissing Appeal, August 29, 1997).

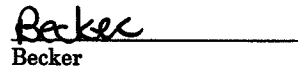
on appeal.² Appellant has not demonstrated that the district court's findings of fact are not supported by substantial evidence or are clearly wrong. Moreover, appellant has not demonstrated that the district court erred as a matter of law.

Accordingly, for the reasons stated in the attached order of the district court, we

ORDER the judgment of the district court AFFIRMED.³

 J.
Shearing

 J.
Rose

 J.
Becker

cc: Hon. Peter I. Breen, District Judge
Attorney General/Carson City
Washoe County District Attorney
James Andre Boles
Washoe County Clerk

²See Riley v. State, 110 Nev. 638, 647, 878 P.2d 272, 278 (1994).

³Although the fast track statement filed in this appeal was adequate for this court's review of appellant's claims, we note that it did not entirely comply with the requirements of NRAP 3C. Counsel for appellant is cautioned that continued failure to meet the requirements of this court's rules will result in the imposition of sanctions.