

IN THE SUPREME COURT OF THE STATE OF NEVADA

BERNARDO GARFIAS-ESTRADA,

No. 37920

Petitioner,

vs.

WARDEN, NEVADA STATE PRISON, DON
HELLING,

Respondent.

FILED

JUN 18 2001

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

ORDER DENYING PETITION

This proper person petition for a writ of habeas corpus challenges the effective assistance of trial counsel. Petitioner argues that he is being deprived of a direct appeal due to the ineffective assistance of counsel and seeks immediate release from prison.

Petitioner is not being deprived of a direct appeal; petitioner's timely filed direct appeal is pending in this court in Docket No. 37691. We have considered the petition on file herein, and we are not satisfied that this court's intervention is warranted at this time.¹ Accordingly, we

ORDER the petition DENIED.²

Shearing

Shearing J.

Agosti

Agosti J.

Rose

Rose J.

¹See NRAP 22; NRS 34.738.

²We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.

01-10096

cc: Hon. Richard A. Wagner, District Judge
Attorney General
Humboldt County District Attorney
State Public Defender
Francis Jay Short
Richard R. Mottweiler & Associates
Bernardo Garfias-Estrada
Humboldt County Clerk