

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN LAMAR BROWN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 37981

FILED

MAR 28 2002

ORDER OF AFFIRMANCE

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK

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

On December 2, 1996, Brown was convicted, pursuant to a jury verdict, of second-degree murder with the use of a deadly weapon and attempted murder with the use of a deadly weapon. For the second-degree murder count, the district court sentenced Brown to serve a life prison term with parole eligibility after 10 years with an equal and consecutive life term for the deadly weapon enhancement. For the attempted murder count, the district court sentenced Brown to serve a prison term of 48 to 240 months with an equal and consecutive term for the use of a deadly weapon. Brown filed a direct appeal, and this court affirmed his conviction.¹

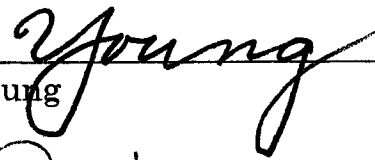
In the petition, Brown presented claims of ineffective assistance of counsel. The district court found that counsel was not ineffective. The district court's factual findings regarding a claim of ineffective assistance of counsel are entitled to deference when reviewed

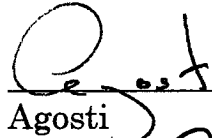
¹Brown v. State, Docket No. 37981 (Order Dismissing Appeal, July 16, 1999).


on appeal.² Brown has not demonstrated that the district court's findings of fact are not supported by substantial evidence or are clearly wrong. Moreover, Brown 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.
Young


_____, J.
Agosti


_____, J.
Leavitt

cc: Hon. Connie J. Steinheimer, District Judge
Scott W. Edwards
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

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

³We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.