

IN THE SUPREME COURT OF THE STATE OF NEVADA

MISHELLE BRADFORD,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 45878

**FILED**

**FEB 23 2006**

ORDER OF AFFIRMANCE

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

This is an appeal from a district court order denying appellant's post-conviction petition for a writ of habeas corpus. Second Judicial District Court, Washoe County; Deborah A. Agosti, Judge.

On January 16, 2002, appellant Mishelle Bradford was convicted, pursuant to a guilty plea of one count of violating an extended protection order.<sup>1</sup> The district court sentenced Bradford to serve a prison term of 24 to 60 months. Bradford filed a direct appeal, and this court affirmed the judgment of conviction.<sup>2</sup>

On April 21, 2003, Bradford filed a proper person post-conviction petition for a writ of habeas corpus. The State opposed the petition. The district court appointed counsel to represent Bradford, and

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<sup>1</sup>According to the victim, a reverend at a local church, Bradford became fixated on him and threatened him and his family for a period of three years. The victim explained that Bradford believed that God intended her to be with the victim, that the victim's wife was the Anti-Christ, and that his four children were possessed by demons.

<sup>2</sup>Bradford v. State, Docket No. 39214 (Order of Affirmance, May 15, 2002).

counsel filed a supplement to the petition. After conducting an evidentiary hearing, the district court denied the petition. Bradford filed this timely appeal.

Bradford contends that the district court erred in rejecting her claim that she was not competent to enter a guilty plea. In particular, Bradford argues that she was unable to assist in her defense because she suffered from a delusional disorder that caused her to believe that her counsel was evil and that God was telling her to plead guilty. We conclude that Bradford's contention lacks merit.

A defendant is competent to enter a plea if she has: (1) "sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding"; and (2) "a rational as well as factual understanding of the proceedings against him."<sup>3</sup> A district court's competency determination will be sustained on appeal where substantial evidence exists to support it.<sup>4</sup>

In this case, after hearing testimony from Bradford and her defense attorney, the district court found that Bradford was competent to enter the guilty plea. We conclude that the district court's finding is supported by substantial evidence. In particular, we note that two mental health professionals, who evaluated Bradford before she entered her plea, found that she was able to understand the criminal proceedings and assist in her defense. Additionally, defense counsel testified at the post-

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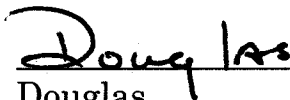
<sup>3</sup>Godinez v. Moran, 509 U.S. 389, 396-97 (1993) (quoting Dusky v. United States, 362 U.S. 402, 402 (1960)).


<sup>4</sup>Ogden v. State, 96 Nev. 697, 698, 615 P.2d 251, 252 (1980).

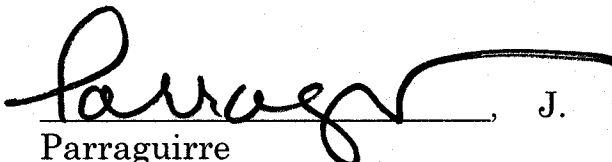
conviction hearing that she believed Bradford was competent to enter a guilty plea and had no reason to "double-guess" the conclusions of the experts who had evaluated Bradford. Accordingly, the district court did not err in denying the petition.

Having considered Bradford's contention and concluded that it lacks merit, we

ORDER the judgment of the district court AFFIRMED.

 \_\_\_\_\_, J.  
Douglas

 \_\_\_\_\_, J.  
Becker

 \_\_\_\_\_, J.  
Parraguirre

cc: Honorable Deborah A. Agosti, Senior Justice  
Scott W. Edwards  
Attorney General George Chanos/Carson City  
Washoe County District Attorney Richard A. Gammick  
Washoe District Court Clerk