

IN THE SUPREME COURT OF THE STATE OF NEVADA

THOMAS M. HARDIN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 53004

FILED

APR 08 2010

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *A. Ingerson*  
DEPUTY CLERK

ORDER OF REMAND

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

On December 4, 2009, this court issued an order of limited remand, instructing the district court to clarify the legal standard that it used in denying appellant's petition. See Hardin v. State, Docket No. 53004 (Order of Limited Remand, December 4, 2009). On February 10, 2010, the district court filed an order in this court, certifying that under the test set forth in Strickland v. Washington, 466 U.S. 668 (1984), it would grant appellant's petition and resentence him. See Huneycutt v. Huneycutt, 94 Nev. 79, 80, 575 P.2d 585, 585 (1978). Accordingly, we

ORDER this matter REMANDED to the district court for proceedings consistent with this order.<sup>1</sup>

Cherry, J.  
Cherry

Saitta, J.  
Saitta

Gibbons, J.  
Gibbons

cc: Hon. Jerome Polaha, District Judge  
Mary Lou Wilson  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk

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<sup>1</sup>This order constitutes our final disposition of this appeal. Any subsequent appeal shall be docketed as a new matter.