

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JERUN TYRONE EDWARDS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 81703-COA

FILED

AUG 30 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Jerun Tyrone Edwards appeals from an order of the district court denying a postconviction petition for writ of habeas corpus filed on August 3, 2016, and later filed supplements. Eighth Judicial District Court, Clark County; Eric Johnson, Judge.

Edwards claims the district court erred by denying his claims that counsel rendered ineffective assistance. To demonstrate ineffective assistance of defense counsel sufficient to invalidate a judgment of conviction based on a guilty plea, a petitioner must show counsel's performance was deficient in that it fell below an objective standard of reasonableness and prejudice resulted in that, but for counsel's errors, there is a reasonable probability petitioner would not have pleaded guilty and would have insisted on going to trial. *Hill v. Lockhart*, 474 U.S. 52, 58-59 (1985); *Kirksey v. State*, 112 Nev. 980, 987-88, 923 P.2d 1102, 1107 (1996). Both components of the inquiry must be shown. *Strickland v. Washington*, 466 U.S. 668, 687 (1984). We give deference to the court's factual findings if supported by substantial evidence and not clearly erroneous but review

the court's application of the law to those facts de novo. *Lader v. Warden*, 121 Nev. 682, 686, 120 P.3d 1164, 1166 (2005).

First, Edwards claimed counsel was ineffective for failing to provide him with discovery, failing to explain the evidence against him, and giving him false information regarding DNA testing. At the evidentiary hearing, counsel testified she does not provide a defendant discovery unless they request it and Edwards did not request it. Further, she testified she spoke with Edwards about the evidence against him and explained that there were two witnesses who identified him as the assailant. She also testified she did not give Edwards any information regarding DNA testing and that, even if there was DNA evidence, it would not have mattered in this case because it was a domestic violence case.

The district court found that, while counsel did not give Edwards his discovery prior to the guilty plea, counsel did discuss the evidence and case with him prior to his pleading guilty. Further, the district court found Edwards failed to explain what was in the discovery that would have changed his mind regarding pleading guilty. The record supports the findings of the district court, and Edwards thus failed to demonstrate deficiency or a reasonable probability he would not have pleaded guilty had he received the discovery materials prior to pleading guilty. Therefore, we conclude the district court did not err by denying this claim.


Second, Edwards claimed counsel was ineffective for failing to explain the potential sentence and ramifications of pleading guilty. Edwards failed to support this claim with specific facts that, if true and not belied by the record, would entitle him to relief. *See Hargrove v. State*, 100

Nev. 498, 502-03, 686 P.2d 222, 225 (1984). Therefore, we conclude the district court did not err by denying this claim.

Having concluded Edwards is not entitled to relief, we
ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Eric Johnson, District Judge
Gregory Law Firm, PLC
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk