

**Filed 6/30/16 by Clerk of Supreme Court
IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2016 ND 123

Antonio Matthews, Petitioner and Appellant

v.

State of North Dakota, Respondent and Appellee

No. 20160037

Appeal from the District Court of Grand Forks County, Northeast Central
Judicial District, the Honorable Lolita G. Hartl Romanick, Judge.

AFFIRMED.

Per Curiam.

Samuel A. Gereszek, 308 DeMers Avenue, P.O. Box 4, East Grand Forks,
Minnesota 56721-0004, for petitioner and appellant; on brief.

M. Jason McCarthy and Meredith H. Larson, Assistant State's Attorneys,
Grand Forks County State's Attorney's Office, 124 South Fourth Street, P.O. Box
5607, Grand Forks, N.D. 58206-5607, for respondent and appellee; on brief.

Matthews v. State
No. 20160037

Per Curiam.

[¶1] Antonio Matthews appeals after the district court denied him post-conviction relief. Matthews argues he was entitled to post-conviction relief because his counsel was ineffective by failing to move for suppression of the evidence. We summarily affirm under N.D.R.App.P. 35.1(a)(2), concluding the district court’s denial of Matthews’ post-conviction relief application was based on findings of fact that are not clearly erroneous.

[¶2] Gerald W. VandeWalle, C.J.
Dale V. Sandstrom
Daniel J. Crothers
Lisa Fair McEvers
Carol Ronning Kapsner