FILED
IN THE OFFICE OF THE
CLERK OF SUPREME COURT
OCTOBER 14, 2021
STATE OF NORTH DAKOTA

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2021 ND 177

Morris Jerome Brickle-Hicks, Petitioner and Appellant

v.

State of North Dakota, Respondent and Appellee

No. 20210073

Appeal from the District Court of Burleigh County, South Central Judicial District, the Honorable John W. Grinsteiner, Judge.

AFFIRMED.

Per Curiam.

Kiara C. Kraus-Parr, Grand Forks, ND, for petitioner and appellant.

Julie A. Lawyer, State's Attorney, and Jamie Schaible, under the Rule on Limited Practice of Law by Law Students, Bismarck, ND, for respondent and appellee; submitted on brief.

Brickle-Hicks v. State
No. 20210073

Per Curiam.

[¶1] Morris Jerome Brickle-Hicks appeals from an order denying his application for postconviction relief, claiming the district court erred in denying his application for postconviction relief due to ineffective assistance of counsel. Following a hearing the court found Brickle-Hicks failed to demonstrate that his counsel's representation fell below an objective standard or that he was prejudiced by the alleged deficient performance.

[¶2] "Courts need not address both prongs of the Strickland test, and if a court can resolve the case by addressing only one prong it is encouraged to do so." *Rourke v. State*, 2018 ND 137, ¶ 6, 912 N.W.2d 311 (citation omitted). "If it is easier to dispose of an ineffectiveness claim on the ground of lack of sufficient prejudice, which we expect will often be so, that course should be followed." *Id.* The district court did not clearly err in denying Brickle-Hicks' application for postconviction relief, and we summarily affirm under N.D.R.App.P. 35.1(a)(2).

[¶3] Jon J. Jensen, C.J.
Gerald W. VandeWalle
Daniel J. Crothers
Lisa Fair McEvers
Jerod E. Tufte