

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2024 ND 136

Dondarro Jimmell Watts,

Petitioner and Appellant

v.

State of North Dakota,

Respondent and Appellee

No. 20240011

Appeal from the District Court of Burleigh County, South Central Judicial District, the Honorable Bonnie L. Storbakken, Judge.

AFFIRMED.

Per Curiam.

Rina Morales-Holmes, Minot, ND, for petitioner and appellant; submitted on brief.

Dennis H. Ingold, Bismarck, ND, for respondent and appellee; submitted on brief.

Watts v. State
No. 20240011

Per Curiam.

[¶1] Dondarro Watts appeals from a district court order denying his application for postconviction relief. A jury convicted Watts of indecent exposure. Watts appealed his conviction, and this Court affirmed. *State v. Watts*, 2023 ND 47, 988 N.W.2d 254. Watts filed an application for postconviction relief, asserting he received ineffective assistance of trial counsel. After a hearing, the court held Watts did not demonstrate his trial counsel's representation fell below an objective standard of reasonableness. The court further held Watts did not demonstrate his trial counsel's representation prejudiced him in any way.

[¶2] Findings of fact made in a postconviction relief proceeding are subject to the clearly erroneous standard of review. *Urrabazo v. State*, 2024 ND 67, ¶ 6, 5 N.W.3d 521. After a full review of the record, we conclude the district court's findings of facts are not clearly erroneous and the court did not err in determining Watts failed to establish ineffective assistance of counsel. We summarily affirm under N.D.R.App.P. 35.1(a)(2).

[¶3] Jon J. Jensen, C.J.
Daniel J. Crothers
Lisa Fair McEvers
Jerod E. Tufte
Douglas A. Bahr