

IN THE SUPREME COURT  
STATE OF NORTH DAKOTA

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2025 ND 218

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Tyler Earl Mollner,

Petitioner and Appellant

v.

State of North Dakota,

Respondent and Appellee

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No. 20250229

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Appeal from the District Court of Cass County, East Central Judicial District, the Honorable Stephannie N. Stiel, Judge.

AFFRIMED.

Per Curiam.

Samuel A. Gereszek, Grand Forks, ND, for petitioner and appellant; submitted on brief.

Nicholas S. Samuelson, Assistant State's Attorney, Fargo, ND, for respondent and appellee; submitted on brief.

**Mollner v. State**  
**No. 20250229**

**Per Curiam.**

[¶1] Tyler Mollner appeals from an order denying his request for postconviction relief. Mollner pleaded guilty to attempted murder with a dangerous weapon, aggravated assault-domestic violence with a dangerous weapon, and theft of property. Mollner claims the district court erred in determining he failed to establish he received ineffective assistance of counsel prior to pleading guilty. In postconviction proceedings, “[t]his Court reviews findings of fact under the clearly erroneous standard of review.” *Campbell v. State*, 2025 ND 152, ¶ 5, 25 N.W.3d 781 (cleaned up).

[¶2] After reviewing the record, we determine the district court did not clearly err in determining Mollner failed to show he was prejudiced by the alleged failure of his attorney to provide statements of the victim’s desire for leniency. The court also did not clearly err in determining Mollner failed to show his attorney’s conduct fell below the objective standard of reasonableness for the claim that his attorney failed to provide discovery materials. “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.” *Rugland v. State*, 2025 ND 165, ¶ 1, 26 N.W.3d 686 (cleaned up). 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