

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2021 ND 47

Joe Ramon Saucedo, Petitioner and Appellant

v.

State of North Dakota, Respondent and Appellee

No. 20200265

Appeal from the District Court of Grand Forks County, Northeast Central
Judicial District, the Honorable Donald Hager, Judge.

AFFIRMED.

Per Curiam.

Laura C. Ringsak, Bismarck, ND, for petitioner and appellant.

Carmell F. Mattison, Assistant State's Attorney, Grand Forks, ND, for
respondent and appellee.

Saucedo v. State
No. 20200265

Per Curiam.

[¶1] Joe Saucedo appealed from an order denying his second application for post-conviction relief. Saucedo’s first application for post-conviction relief alleged his trial counsel was ineffective. The district court denied his application, and we summarily affirmed. *Saucedo v. State*, 2018 ND 2, 905 N.W.2d 562.

[¶2] In his second application, Saucedo argued his post-conviction counsel provided ineffective assistance. He also argued his trial attorney provided ineffective assistance because the attorney did not participate in or prepare for a presentence investigation interview.

[¶3] On appeal, Saucedo argues the district court erred when it denied his second application. We summarily affirm under N.D.R.App.P. 35.1(a)(7). *Kalmio v. State*, 2018 ND 182, ¶ 18, 915 N.W.2d 655 (“[D]istrict courts are required to dismiss an applicant’s claims of ineffective assistance of post-conviction relief counsel in a Uniform Postconviction Procedure Act proceeding.”); *Jensen v. State*, 2004 ND 200, ¶ 9, 688 N.W.2d 374 (“Post-conviction proceedings are not intended to allow defendants multiple opportunities to raise the same or similar issues, and defendants who inexcusably fail to raise all of their claims in a single post-conviction proceeding misuse the post-conviction process by initiating a subsequent application raising issues that could have been raised in the earlier proceeding.”).

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