

SUPREME COURT OF NORTH DAKOTA

Duffi v. State

2025 ND 226 (N.D. 2025) · No. No. 20250230 · Decided December 31, 2025

SUMMARY

The North Dakota Supreme Court affirmed the denial of Koffi Mande Yi Noum Duffi's application for postconviction relief. The court held that Duffi failed to establish prejudice under the Strickland standard in his claim that counsel provided ineffective immigration advice concerning his guilty pleas and summarily affirmed under N.D.R.App.P. 35.1(a)(2).

CASE DETAILS

COURT	Supreme Court of North Dakota
WRITING FOR THE COURT	Per Curiam; Jon J. Jensen, C.J.; Daniel J. Crothers; Lisa Fair McEvers; Jerod E. Tufte; Douglas A. Bahr
JURISDICTION	Supreme Court of North Dakota
DECIDED	December 31, 2025
DOCKET	No. 20250230
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from an order of the District Court of Burleigh County denying an application for postconviction relief.
STANDARD OF REVIEW	The opinion applies the Strickland v. Washington test for ineffective assistance of counsel and reviews the district court's denial of postconviction relief for error; the court summarily affirmed under N.D.R.App.P. 35.1(a)(2).
PRECEDENTIAL VALUE	Published
PARTIES	Koffi Mande Yi Noum Duffi v. State of North Dakota

TOPICS

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ineffective assistance

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Duffi established ineffective assistance of counsel based on allegedly incorrect immigration advice concerning the consequences of his guilty pleas.
2. Whether Duffi established prejudice by showing a reasonable probability that, absent counsel's alleged errors, he would not have pleaded guilty and would have insisted on going to trial.

HOLDINGS

1. Duffi failed to establish ineffective assistance of counsel because the district court determined that he did not satisfy the Strickland test.
2. Duffi failed to establish prejudice resulting from the purportedly deficient representation.

KEY QUOTATIONS

“Under Strickland, an applicant must show (1) “counsel’s representation fell below an objective standard of reasonableness,” and (2) “there is a reasonable probability that, but for counsel’s errors, he would not have pleaded guilty and would have insisted on going to trial.”” (¶ 2)

“We conclude the district court did not err when it found Duffi failed to establish prejudice resulting from the purportedly deficient representation.” (¶ 3)

FACTUAL BACKGROUND

Duffi, who is not a United States citizen, pleaded guilty to several crimes, including burglary. He alleged that defense counsel gave him incorrect immigration advice and that avoiding deportation was essential to his decision to plead guilty. Duffi claimed that, had he known the immigration consequences of the burglary conviction, he would have gone to trial.

PROCEDURAL HISTORY

Duffi pleaded guilty to various crimes, including burglary, and later sought postconviction relief to withdraw his guilty pleas. He alleged ineffective assistance of counsel based on incorrect advice concerning the immigration consequences of his pleas. The district court found he failed to satisfy either prong of the Strickland test and denied relief. The North Dakota Supreme Court summarily affirmed.

DISPOSITION

affirmed

CASES CITED

- Strickland v. Washington, 466 U.S. 668 (1984)

- Isxaaq v. State, 2021 ND 148, ¶ 9, 963 N.W.2d 260
- Osier v. State, 2014 ND 41, ¶ 11, 843 N.W.2d 277

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