

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN WIEGAND,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 44704

FILED

JAN 11 2006

ORDER OF AFFIRMANCE

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count each of lewdness with a child under the age of 14 years and possession of visual presentation depicting sexual conduct of a person under the age of 16 years. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge. The district court sentenced appellant Steven Wiegand to serve concurrent prison terms of life with the possibility of parole after 10 years and 24-72 months.

Wiegand's sole contention on appeal is that his guilty plea was not validly entered. More specifically, Wiegand argues that the district court erred in accepting his plea without first determining what medications he was taking and what mental illness he was suffering from. Wiegand points out that he "was under the influence of some type of medication" when he entered his guilty plea.

This court has held that, generally, challenges to the validity of a guilty plea must be raised in the district court in the first instance by either filing a motion to withdraw the guilty plea or commencing a post-

conviction proceeding pursuant to NRS chapter 34.¹ Because Wiegand has not challenged the validity of his guilty plea in the district court, his claim is not appropriate for review on direct appeal from the judgment of conviction, and therefore, we need not address it.²

Accordingly, we

ORDER the judgment of conviction AFFIRMED.

Douglas, J.
Douglas

Becker, J.
Becker

Parraguirre, J.
Parraguirre

cc: Hon. Connie J. Steinheimer, District Judge
Washoe County Public Defender
Attorney General George Chanos/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

¹Bryant v. State, 102 Nev. 268, 272, 721 P.2d 364, 368 (1986); see also O'Guinn v. State, 118 Nev. 849, 851-52, 59 P.3d 488, 489-90 (2002).

²Bryant, 102 Nev. at 272, 721 P.2d at 368.