

IN THE SUPREME COURT OF THE STATE OF NEVADA

RONALD C. WILLIAMS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 45904

FILED

JUN 29 2006

ORDER OF AFFIRMANCE

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

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of two counts of attempted murder with the use of a deadly weapon, one count of mayhem with the use of a deadly weapon, and one count of child abuse or neglect with substantial bodily or mental harm. Eighth Judicial District Court, Clark County; David Wall, Judge. The district court sentenced appellant Ronald C. Williams to prison terms of 76 to 240 months for each count of attempted murder with equal and consecutive terms for the use of a deadly weapon, 36 to 96 months for mayhem with an equal and consecutive term for the use of a deadly weapon, and a concurrent prison term of 36 to 120 months for child abuse or neglect.

Williams contends that the district court erred by denying his pre-sentencing motion to withdraw his guilty plea. Specifically, Williams argues that he did not understand the consequences of pleading guilty and that his attorney at the time he entered his plea did not adequately

explain the consequences of the plea. "A district court may, in its discretion, grant a defendant's [presentence] motion to withdraw a guilty plea for any 'substantial reason' if it is 'fair and just.'"¹ In considering whether a defendant has "advanced a substantial, fair, and just reason to withdraw a [guilty] plea, the district court must consider the totality of the circumstances to determine whether the defendant entered the plea voluntarily, knowingly, and intelligently."²

During the canvass in the instant case, Williams informed the district court that he had read and understood the plea agreement, that he had signed the plea agreement, and he admitted committing the crimes charged. Williams further informed the court that he understood each of the charges against him, and the district court informed Williams of the possible sentence for each count. Williams asked whether he would be allowed to withdraw his plea if he changed his mind, and the district judge explained that he could file a motion to withdraw his plea, but that the motion would not necessarily be granted.

¹Woods v. State, 114 Nev. 468, 475, 958 P.2d 91, 95 (1998) (quoting State v. District Court, 85 Nev. 381, 385, 455 P.2d 923, 926 (1969)); see also NRS 176.165.

²Crawford v. State, 117 Nev. 718, 722, 30 P.3d 1123, 1125-26 (2001).

Based on the totality of the circumstances, we conclude that the district court correctly found that Williams's plea was validly entered.³ Accordingly, we

ORDER the judgment of conviction AFFIRMED.

Douglas, J.
Douglas

Becker, J.
Becker

Parraguirre, J.
Parraguirre

cc: Hon. David Wall, District Judge
Kocka & Bolton
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

³Bryant v. State, 102 Nev. 268, 272, 721 P.2d 364, 368 (1986) (holding that this court presumes that the lower court correctly assessed the validity of the plea, and that the lower court's determination will not be overturned absent a clear showing of an abuse of discretion).