

IN THE SUPREME COURT OF THE STATE OF NEVADA

FREDRICK E. FOREMAN A/K/A
FREDERICK EARL FOREMAN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 45924

FILED

FEB 09 2006

ORDER DISMISSING APPEAL

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 one count of attempted lewdness with a child under the age of 14. Eighth Judicial District Court, Clark County; Joseph T. Bonaventure, Judge.

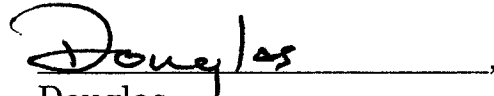
On December 29, 2005, the State filed a motion to dismiss this appeal. The State argues that this appeal is "irregular" pursuant to NRS 177.205, because the only issue raised is the validity of the guilty plea, which is not properly raised in a direct appeal.


As the State points out, this court

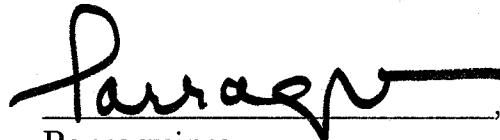
no longer permit[s] a defendant to challenge the validity of a guilty plea on direct appeal from the judgment of conviction. Instead, a defendant must raise a challenge to the validity of his or her guilty plea in the district court in the first instance, either by bringing a motion to withdraw the guilty plea, or by initiating a post-conviction proceeding.¹

¹Bryant v. State, 102 Nev. 268, 272, 721 P.2d 364, 368 (1986).

Accordingly, we grant the State's motion and we
ORDER this appeal DISMISSED.

 _____, J.
Douglas

 _____, J.
Becker

 _____, J.
Parraguirre

cc: Hon. Joseph T. Bonaventure, District Judge
Gabriel L. Grasso
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk