

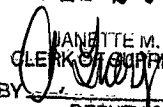
IN THE SUPREME COURT OF THE STATE OF NEVADA

JONATHAN KENOLY,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 48398

**FILED**

FEB 20 2007

WANNETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, entered pursuant to a guilty plea, of one count of grand larceny of a motor vehicle. Fifth Judicial District Court, Mineral County; John P. Davis, Judge. The district court sentenced appellant Jonathan Kenoly to serve a prison term of 24 to 60 months.

On appeal, Kenoly's sole contention is that he did not knowingly, voluntarily, and intelligently enter his guilty plea because he was not properly informed of his potential sentence. Generally, this court will not consider a challenge to the validity of a guilty plea on direct appeal from a judgment of conviction.<sup>1</sup> "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."<sup>2</sup>


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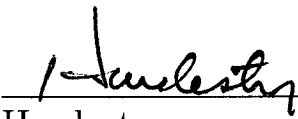
<sup>1</sup>Bryant v. State, 102 Nev. 268, 272, 721 P.2d 364, 368 (1986); but see Smith v. State, 110 Nev. 1009, 1010 n.1, 879 P.2d 60, 61 n.1 (1994).


<sup>2</sup>Bryant, 102 Nev. at 272, 721 P.2d at 368.

Kenoly does not claim that he previously raised a challenge to the validity of his plea in the district court, and the alleged error does not clearly appear on the record. Therefore, we decline to consider Kenoly's contention and we

ORDER the judgment of conviction AFFIRMED.

  
Parraguirre, J.

  
Hardesty, J.

  
Saitta, J.

cc: Hon. John P. Davis, District Judge  
Law Offices of John P. Schlegelmilch, Ltd.  
Attorney General Catherine Cortez Masto/Carson City  
Mineral County District Attorney  
Mineral County Clerk