

IN THE SUPREME COURT OF THE STATE OF NEVADA

LIN YI FEI,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 48553

FILED

APR 25 2007

ANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER OF AFFIRMANCE


This is an appeal from an order of the district court denying appellant Lin Yi Fei's post-conviction motion to withdraw his guilty plea. Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

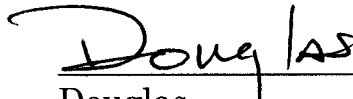
The district court convicted Fei, pursuant to a guilty plea, of one count of conspiracy to commit burglary. The district court sentenced Fei to nine months in the county jail, suspended the execution of the sentence, and placed Fei on probation for a period not to exceed three years. Fei did not file a direct appeal. But he did file a post-conviction motion to withdraw his guilty plea. The State opposed the motion, the district court heard argument, and the district court denied the motion. This appeal follows.

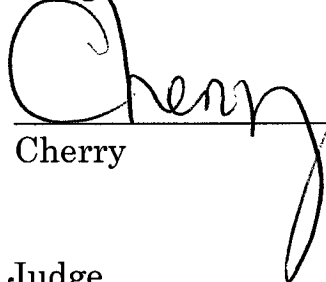
Fei contends that the district court abused its discretion by denying his post-conviction motion to withdraw his guilty plea. Fei claims that his plea was not entered knowingly, intelligently, and voluntarily because the district court's plea canvass was inadequate and did not sufficiently address the consequences of the plea and the rights he waived by entering the plea. In particular, he argues that he did not have an adequate understanding of the immigration consequences.

Fei has not demonstrated that his guilty plea resulted in a manifest injustice.¹ The district court reviewed the plea canvass transcript and the written plea agreement. It found that the canvass was sufficient and that the written plea agreement specifically advised Fei of the consequences of his plea, including the possible consequences of being "removed, deported, excluded from entry into the United States, or denied naturalization." We have reviewed the record on appeal and conclude that the district court correctly assessed the validity of the plea and did not abuse its discretion by denying Fei's motion.² Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Valerie Adair, District Judge
Kirk T. Kennedy
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk

¹See NRS 176.165.

²See *Barajas v. State*, 115 Nev. 440, 991 P.2d 474 (1999).