

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTHONY DERRICK MULLIKIN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 51727

FILED

JAN 14 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count each of attempted burglary and unlawful taking of a vehicle. Fifth Judicial District Court, Nye County; Robert W. Lane, Judge. The district court sentenced appellant Anthony Derrick Mullikin to serve a prison term of 24-60 months and a concurrent jail term of one year.

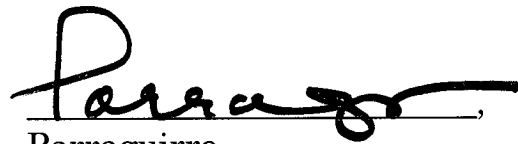
Mullikin contends that his guilty plea was not entered knowingly and intelligently. The extent of Mullikin's argument is that his conviction "should be set aside" because "the elements of the offenses were substantially detailed in the amended information, but that document was not read into the record, nor was [he] asked if he had read the amended information."

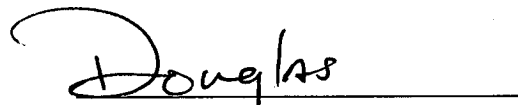
This court has held that, generally, challenges to the validity of a guilty plea must be raised in the district court in the first instance by either filing a motion to withdraw the guilty plea or commencing a post-

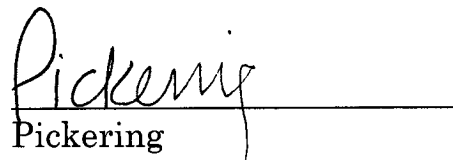
conviction proceeding pursuant to NRS chapter 34.¹ Because Mullikin has not challenged the validity of his guilty plea in the district court, his claim is not appropriate for review on direct appeal from the judgment of conviction, and therefore, we need not address it.²

Accordingly, we

ORDER the judgment of conviction AFFIRMED.


Parraguirre, J.


Douglas, J.


Pickering, J.

cc: Hon. Robert W. Lane, District Judge
Nye County Public Defender
Attorney General Catherine Cortez Masto/Carson City
Nye County District Attorney/Tonopah
Nye County 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.