

IN THE SUPREME COURT OF THE STATE OF NEVADA

RAYMOND CUTHBERT NATTRASS  
A/K/A RAYMOND CUTHBERT  
NATTRESS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 51831

**FILED**

**DEC 23 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 of assault with a deadly weapon. First Judicial District Court, Carson City; William A. Maddox, Judge. The district court sentenced appellant Raymond Cuthbert Natrass to serve a prison term of 18 to 72 months.

The instant conviction arises from an assault Natrass participated in when he was 17 years old. Natrass contends that the district court erred in determining that it, and not the juvenile court, had jurisdiction over his case. We disagree.

Pursuant to NRS 62B.330(3)(c), an offense or attempted offense involving the use of a firearm is not a delinquent act and the juvenile court does not have jurisdiction over a person charged with committing that act if (1) the person was 16 years or older at the time of the offense and (2) the person was previously adjudicated a delinquent for an act that would have been a felony if committed by an adult.

Here, Natrass was charged with assault with a deadly weapon—specifically, a gun. The district court found that Natrass was

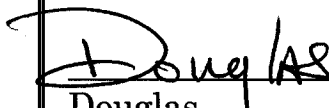
over 16 years old at the time of the offense and that he had previously been “found guilty” of a felony in California. The district court based its determination on a copy of an “Order of Probation/Disposition Order” filed in a California juvenile court on February 17, 2006. That order also lists Natrass’ birth date and indicates that “[t]he minor admitted or there was a Court finding of a violation(s) of §288(a) pc a Felony.”

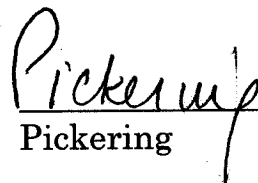
Natrass contends that the California order does not demonstrate that the previous adjudication was made in accordance with the constitution and is thus insufficient to confer jurisdiction on the district court. Relying on this court’s holding in Dressler v. State, 107 Nev. 686, 819 P.2d 1288 (1991), Natrass argues that the order is insufficient because it does not show that he was represented by counsel or waived the right to be represented at the time of the adjudication, and is silent regarding his other constitutional rights.

The California order does not raise a presumption of constitutional infirmity on its face and it indicates that Natrass was represented by counsel. Thus, the California order is sufficient to show that Natrass has previously been adjudicated for an offense that would have been a felony if committed by an adult. Id. at 697-98, 819 P.2d at 1295-96. Therefore, we conclude that the district court properly asserted its jurisdiction over Natrass, and we

ORDER the judgment of conviction AFFIRMED.

  
Parraguirre, J.

  
Douglas, J.

  
Pickering, J.

cc: First Judicial District Court Dept. 2, District Judge  
Robert B. Walker  
Attorney General Catherine Cortez Masto/Carson City  
Carson City District Attorney  
Carson City Clerk