

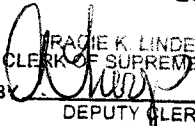
IN THE SUPREME COURT OF THE STATE OF NEVADA

TYRONE LORENZO WILLIAMS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 54261

**FILED**

MAR 10 2010

IRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order denying a motion to withdraw guilty plea<sup>1</sup> Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

In a motion filed on June 18, 2009, appellant claimed: (1) it was unconstitutional to directly charge a juvenile in district court; (2) he should be allowed to withdraw his guilty plea because he did so to avoid the death penalty and, now, juveniles cannot receive the death penalty; (3) his trial counsel was ineffective for failing to research the law; and (4) his trial counsel was ineffective for failing to file a timely notice of appeal. The equitable doctrine of laches precluded consideration of the motion because there was a more than four-year delay from entry of the judgment of conviction on December 27, 2004; an implied waiver exists from appellant's knowing acquiescence in existing conditions and appellant's

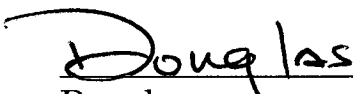
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<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

failure to raise these claims in his two post-conviction petitions for a writ of habeas corpus; and the State may suffer prejudice from the delay.<sup>2</sup> Hart v. State, 116 Nev. 558, 563-64, 1 P.3d 969, 972 (2000). Moreover, claims (1), (3), and (4) fell outside the scope of claims permissible in a motion to withdraw a guilty plea. Id. at 564, 1 P.3d at 972. (“Only issues relating to the validity of the plea are pertinent to [a] motion [to withdraw the plea].”) Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Pickering

cc: Hon. Michelle Leavitt, District Judge  
Tyrone Lorenzo Williams  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>2</sup>Appellant filed a post-conviction petition for a writ of habeas corpus on September 13, 2006, but did not appeal the district court’s denial of that petition. This court affirmed the district court’s denial of his second petition on appeal. Williams v. State, Docket No. 49489 (Order of Affirmance, January 4, 2008).