

IN THE SUPREME COURT OF THE STATE OF NEVADA

CARL VONDESHUN BRADLEY A/K/A  
CARL VON BRADLEY,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 56533

CARL BRADLEY A/K/A CARL VON  
BRADLEY,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 56534

**FILED**

**MAR 18 2011**

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

ORDER OF AFFIRMANCE


These are appeals from two separate judgments of conviction entered pursuant to guilty pleas. In district court case number 08C244409, the district court convicted appellant Carl Bradley of battery with the use of a deadly weapon resulting in substantial bodily harm and, in district court case number 08C244994, of possession of a firearm by an ex-felon. Eighth Judicial District Court, Clark County; Douglas W. Herndon, Judge. We elect to consolidate these appeals for disposition purposes only. NRAP 3(b)(2).


Bradley contends that the district court erred by determining that he breached the plea agreements and allowing the State to argue for a sentence in excess of that agreed to in the guilty plea agreements. We disagree.

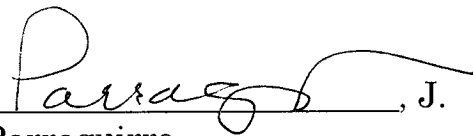
Bradley's guilty plea agreements provided that the State would regain the right to argue for any lawful sentence if he committed a

new criminal offense prior to sentencing. See Sparks v. State, 121 Nev. 107, 111-112, 110 P.3d 486, 488-489 (2005) (the State may be released from a promise in a plea agreement if the agreement contains explicit language conditionally releasing the State from that promise). The district court specifically found that Bradley committed a new crime on April 8, 2009, after he entered the guilty plea agreements in these cases on February 12, 2009.<sup>1</sup> Bradley's claim that he committed the new offense prior to entry of the guilty plea agreements is belied by the record. Accordingly, Bradley has failed to demonstrate any error, and we

ORDER the judgments of conviction AFFIRMED.

  
\_\_\_\_\_, J.  
Saitta

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

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Douglas W. Herndon, District Judge  
Michael H. Schwarz  
James Ruggeroli  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>1</sup>Bradley admitted that he entered an Alford plea to the new crime prior to sentencing in the instant cases. See North Carolina v. Alford, 400 U.S. 25 (1970).