

IN THE SUPREME COURT OF THE STATE OF NEVADA

OTTO ROLANDO DEL CID,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 57183

FILED

JUL 15 2011

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

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction entered pursuant to an Alford plea of one count of attempted sexual assault of a minor under the age of 14 and three counts of attempted lewdness with a child under the age of 14. See North Carolina v. Alford, 400 U.S. 25 (1970). Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

In the Fast Track Statement, appellate counsel states that appellant Otto Rolando Del Cid seeks an appeal because (1) he “should be allowed to withdraw his plea,” (2) there were “communication problems with [his] attorney,” and (3) he wants a “sentence reduction.” Counsel observes that Del Cid did not provide any bases for these contentions and did not attempt to withdraw his Alford plea in the district court. Because counsel has failed to support these contentions with cogent argument,¹ we

¹We remind counsel that “[a]ttorneys must argue for their clients without conceding an appeal is without merit. An action is not frivolous even though the lawyer believes that the client’s position will ultimately not prevail.” Ramos v. State, 113 Nev. 1081, 1084-85, 944 P.2d 856, 858 (1997). “[C]ounsel should file a brief that includes all arguable issues and

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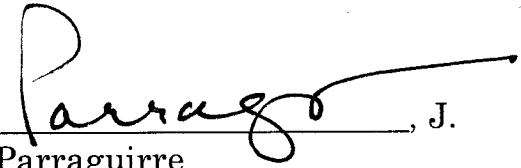
decline to address them. See Maresca v. State, 103 Nev. 669, 673, 748 P.2d 3, 6 (1987). Further, as a general rule, we will not consider a challenge to the validity of a guilty plea in the first instance on direct appeal from a judgment of conviction. Bryant v. State, 102 Nev. 268, 272, 721 P.2d 364, 368 (1986).

Having concluded that Del Cid's grounds for appeal were not adequately briefed for our review, we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Valerie Adair, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

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argues defendant's appeal as well as possible." Id. at 1084, 944 P.2d at 857. We note that Franklin v. State provides an illustrative list of claims that may be raised on a direct appeal from a judgment of conviction entered pursuant to a guilty plea. 110 Nev. 750, 751-52, 877 P.2d 1058, 1059 (1994), disapproved of on other grounds by Thomas v. State, 115 Nev. 148, 979 P.2d 222 (1999).