

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARK GARY HOUGH,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 58247

**FILED**

**APR 12 2012**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY A. Malone  
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a district court order denying appellant Mark Gary Hough's post-conviction motion to withdraw his guilty plea. Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.

Hough contends that the district court abused its discretion by denying his motion and asserts that his plea is invalid because he was misadvised about its immigration consequences. A guilty plea is presumed to be valid and we will not disturb the district court's ruling on a motion to set aside a guilty plea absent a clear abuse of discretion. Wilson v. State, 99 Nev. 362, 373, 664 P.2d 328, 334 (1983). Here, the district court denied Hough's motion after finding that he expressly waived any defect in his guilty plea agreement regarding the immigration consequences of pleading guilty to possession of stolen property. The record supports the district court's finding and we conclude that it did not

abuse its discretion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.

Cherry, J.  
Cherry

Pickering, J.  
Pickering

Hardesty, J.  
Hardesty

cc: Hon. Linda Marie Bell, District Judge  
The Law Office of Dan M. Winder, P.C.  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk