

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHARLES WEBB, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 59758

FILED

SEP 13 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Ingersoll*
DEPUTY CLERK

ORDER OF AFFIRMANCE

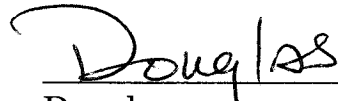
This is a proper person appeal from an order denying a motion to withdraw a guilty plea.¹ Eighth Judicial District Court, Clark County; Valorie J. Vega, Judge.

In his motion filed on September 9, 2011, appellant challenged the validity of his guilty plea. We conclude that the equitable doctrine of laches precluded consideration of the motion because there was an almost five-year delay from entry of the judgment of conviction, there was inexcusable delay in seeking relief, an implied waiver exists from appellant's knowing acquiescence in existing conditions, and the State may suffer prejudice from the delay. Hart v. State, 116 Nev. 558, 563-64,


¹This 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 Luckett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

1 P.3d 969, 972 (2000). Therefore, the district court did not err in denying appellant's motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

cc: Hon. Valorie J. Vega, District Judge
Charles Webb, Jr.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.