

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD POOL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60045

FILED

OCT 08 2012

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


ORDER OF AFFIRMANCE

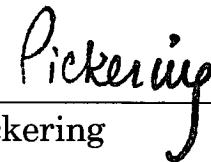
This is an appeal from a judgment of conviction entered pursuant to an Alford plea of attempted possession of a controlled substance. See North Carolina v. Alford, 400 U.S. 25 (1970). Eighth Judicial District Court, Clark County; Michelle Leavitt, Judge.

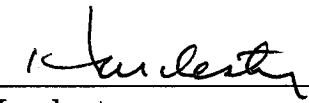
Appellant Richard Pool contends that the district court erred by denying his presentence motion to withdraw his guilty plea. Pool claims that he entered his plea under duress and has an affirmative defense to the charge. "This court will not reverse a district court's determination concerning the validity of a plea absent a clear abuse of discretion." Johnson v. State, 123 Nev. 139, 144, 159 P.3d 1096, 1098 (2007). Here, the written plea agreement and plea canvass transcript support a finding that the plea is valid and was not entered under duress, see Crawford v. State, 117 Nev. 718, 722, 30 P.3d 1123, 1126 (2001) ("A thorough plea canvass coupled with a detailed, consistent, written plea agreement supports a finding that the defendant entered the plea voluntarily, knowingly, and intelligently."), and Pool has not established an affirmative defense to the original charges. Accordingly, we conclude

that the district court did not abuse its discretion by denying Pool's presentence motion to withdraw his guilty plea, and we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Saitta


_____, J.
Pickering


_____, J.
Hardesty

cc: Hon. Michelle Leavitt, District Judge
Ryan Charles Mortier
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk