

IN THE SUPREME COURT OF THE STATE OF NEVADA

HELEN MARIE HOLGUIN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60893

HELEN MARIE HOLGUIN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 60894

FILED

JAN 16 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
DEPUTY CLERK

ORDER OF AFFIRMANCE


These are appeals from judgments of conviction, pursuant to guilty pleas, of attempted burglary and fraudulent use of a credit card. First Judicial District Court, Carson City; James E. Wilson, Judge. We elect to consolidate these appeals for disposition. See NRAP 3(b)(2).

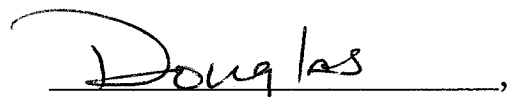
Appellant Helen Marie Holguin contends that the State breached the plea agreements by not informing the district court that it did not oppose the imposition of concurrent sentences.¹ We disagree. "When the State enters into a plea agreement, it is held to the most meticulous standards of both promise and performance with respect to both the terms and the spirit of the plea bargain." Sparks v. State, 121

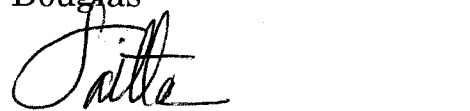
¹The district court sentenced Holguin to serve consecutive prison terms of 21-53 months and 12-30 months.

Nev. 107, 110, 110 P.3d 486, 487 (2005) (internal quotation marks omitted). Here, pursuant to the terms of the plea negotiations, and as reflected in the plea agreement memoranda and as recognized by the district court during Holguin's arraignment, the State agreed not to oppose the imposition of concurrent sentences. The State, in fact, complied with the terms of the negotiations and did not express an opposition to concurrent sentences. Holguin provides no authority for her proposition that the State was obligated to affirmatively restate its "non-opposition" to concurrent sentences for the record at the sentencing hearing. Holguin concedes that she did not object to the alleged breach of the plea agreements, and we conclude that she fails to demonstrate plain error entitling her to relief. See Sullivan v. State, 115 Nev. 383, 387 n.3, 990 P.2d 1258, 1260 n.3 (1999) (we review an unobjected-to plea breach allegation for plain error). Accordingly, we

ORDER the judgments of conviction AFFIRMED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Hon. James E. Wilson, District Judge
Kay Ellen Armstrong
Attorney General/Carson City
Carson City District Attorney
Carson City Clerk