

IN THE SUPREME COURT OF THE STATE OF NEVADA

RUSSELL A/K/A LLOYD CURTIS
WYANT A/K/A RUSSEL RUSSELL
A/K/A CLARENCE RUSSELL A/K/A
RUSSELL WYANT A/K/A LLOYD
WYANT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 61204

FILED

FEB 13 2013

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

ORDER OF AFFIRMANCE

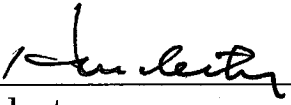
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of two counts of attempted resisting and/or obstructing and/or delaying a public officer with a dangerous weapon. Second Judicial District Court, Washoe County; David A. Hardy, Judge.

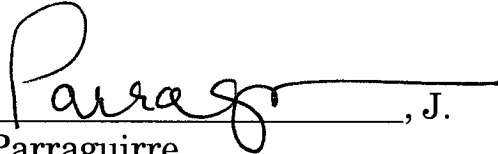
Appellant contends that this court should construe his notice of appeal as an expression of dissatisfaction with his guilty plea and remand this matter so that he may file a post-conviction motion to withdraw his guilty plea. If appellant is dissatisfied with his guilty plea, his remedy, if any, is to file a motion to withdraw the plea or a post-conviction petition for a writ of habeas corpus pursuant to NRS chapter 34 in the district court. See Bryant v. State, 102 Nev. 268, 272, 721 P.2d 364, 367-68 (1986). Because appellant does not challenge the judgment of

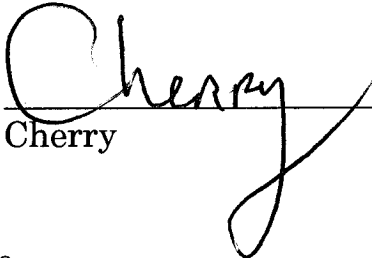


conviction or his sentence and he has not demonstrated error, we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Cherry

cc: Hon. David A. Hardy, District Judge
Washoe County Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk