

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 35664

LOUIS M. DOMINGUEZ,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

MAY 10 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of trafficking in a controlled substance. The district court sentenced appellant to ten years in prison. The district court further ordered appellant to pay a fine of \$100,000.00.

Appellant contends that the district court erred by denying his pre-sentence motion to withdraw his guilty plea. In the motion, appellant argued that, at the time he entered his plea, he did not understand the possible sentence that he could receive by pleading guilty and that he now wished to assert a "purchasing agent" defense.

In denying the motion, the district court found that appellant's argument that he did not understand the potential penalties was belied by the record, in that appellant was informed of the sentencing range by both the plea agreement and by the district judge during the entry of his plea. The district court's finding is supported by the record. Additionally, this court notes that appellant indicated, both in the plea agreement memorandum and at the canvass, that he had discussed with his attorney possible defenses to the charge of trafficking. Accordingly, we conclude that the

00-07771

district court did not err by denying appellant's motion to withdraw his guilty plea. See Bryant v. State, 102 Nev. 268, 721 P.2d 364 (1986).

Having considered appellant's contention and concluded it is without merit, we

ORDER this appeal dismissed.

<u>Young</u>	J.
Young	
<u>Agosti</u>	J.
Agosti	
<u>Leavitt</u>	J.
Leavitt	

cc: Hon. Jerome M. Polaha, District Judge
Attorney General
Washoe County District Attorney
Mary Kandaras Petty
Washoe County Clerk