

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL CASEY FENIMORE,

No. 35823

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

FEB 09 2001

JANEITE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of lewdness with a child under the age of fourteen years. The district court sentenced appellant to serve a term of life in prison with the possibility of parole after ten years.¹

Appellant seeks the withdrawal of his guilty plea on the ground that it was not voluntarily entered. However, this court does not "permit a defendant to challenge the validity of a guilty plea on direct appeal from the judgment of conviction."² Such a challenge must be raised in the district court in the first instance by bringing a motion to withdraw the guilty plea or by commencing a post-conviction proceeding

¹Pursuant to NRAP 34(f)(1), we have determined that oral argument is not warranted in this appeal.

²Bryant v. State, 102 Nev. 268, 272, 721 P.2d 364, 368 (1986).

01-02679

under NRS chapter 34.³ Accordingly, we conclude that the issue raised by appellant is not appropriate for review on direct appeal from the judgment of conviction, and we therefore

ORDER this appeal dismissed.

Young, J.
Young

Rose, J.
Rose

Becker, J.
Becker

cc: Hon. Brent T. Adams, District Judge
Attorney General
Washoe County District Attorney
Robert Bruce Lindsay
Washoe County Clerk

³See id.