

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDWARD CHARLTON WILLIAMS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 64372

FILED

JUN 11 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE


This is an appeal from a district court order denying appellant Edward Charlton Williams' post-conviction motion to reconsider sentence, or, in the alternative, to withdraw guilty plea. Eighth Judicial District Court, Clark County; Jessie Elizabeth Walsh, Judge.


Williams contends that the district court erred by denying his motion, which asserted that the State breached the terms of the guilty plea agreement. This claim was waived because it was not pursued on direct appeal. *See Franklin v. State*, 110 Nev. 750, 752, 877 P.2d 1058, 1059 (1994), *disapproved of on other grounds by Thomas v. State*, 115 Nev. 148, 979 P.2d 222 (1999). Moreover, the totality of the circumstances demonstrate that Williams' plea was knowingly and voluntarily entered, and he failed to demonstrate that withdrawal was necessary to "correct manifest injustice." NRS 176.165; *see Baal v. State*, 106 Nev. 69, 72, 787 P.2d 391, 394 (1990). We decline Williams' invitation to "adopt the plea rejection method favored by the federal court system," and conclude that the district court did not abuse its discretion by denying his motion. *See Baal*, 106 Nev. at 72, 787 P.2d at 394 ("A guilty plea is presumptively valid and the burden is upon appellant to show that the denial of a motion

to withdraw the plea constituted a clear abuse of discretion.”).
Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, J.
Pickering


_____, J.
Parraguirre


_____, J.
Saitta

cc: Hon. Jessie Elizabeth Walsh, District Judge
Law Office of Gabriel L. Grasso, P.C.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk