

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRETT DAGAN JONES,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 64942

**FILED**

**MAY 13 2014**

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

*ORDER OF AFFIRMANCE*

This is a proper person appeal from an order of the district court denying a motion to withdraw a guilty plea.<sup>1</sup> Eighth Judicial District Court, Clark County; Valorie J. Vega, Judge.

In his motion filed on September 23, 2013, appellant claimed that his plea should be withdrawn because he was actually innocent, he did not understand the consequences of his plea, he was coerced into signing the plea, and he suffered manifest injustice because he was not allowed to appeal errors at trial.<sup>2</sup> We conclude that the equitable doctrine of laches precluded consideration of the motion because there was a ten-year delay from entry of the judgment of conviction, there was inexcusable delay in seeking relief, an implied waiver exists from appellant's knowing acquiescence in existing conditions, and the State may suffer prejudice

---

<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Luckett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

<sup>2</sup>We note that appellant was found guilty by a jury but entered a guilty plea to avoid the death penalty.

from the delay. *See Hart v. State*, 116 Nev. 558, 563-64, 1 P.3d 969, 972 (2000). Therefore, we conclude that the district court did not err in denying appellant's motion, and we

ORDER the judgment of the district court AFFIRMED.

Hardesty, J.  
Hardesty

Douglas, J.  
Douglas

Cherry, J.  
Cherry

cc: Hon. Valorie J. Vega, District Judge  
Brett Dagan Jones  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk