

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID KLUCKA,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 69086

FILED

DEC 16 2015

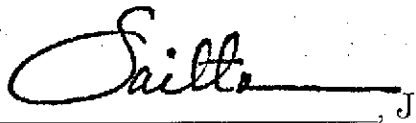
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a pro se appeal from a presentence order denying a motion to withdraw from unlawful plea agreement. Eighth Judicial District Court, Clark County; Kerry Louise Earley, Judge.

Our review of this appeal reveals a jurisdictional defect. An order denying a presentence motion to withdraw a guilty plea is not a final appealable order; the decision may be challenged on appeal from the judgment of conviction. NRS 177.015(3); NRS 177.045; *Hargrove v. State*, 100 Nev. 498, 686 P.2d 222 (1984). Accordingly, we lack jurisdiction to consider this appeal, and we

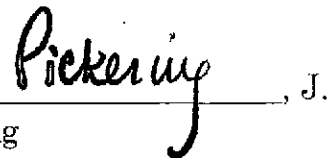
ORDER this appeal DISMISSED.<sup>1</sup>

 J.

Saitta

 J.

Gibbons

 J.

Pickering

<sup>1</sup>Appellant's motion filed on December 15, 2015, is denied as moot.

cc: Hon. Kerry Louise Earley, District Judge  
David Klucka  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk