

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 69361

FILED

JAN 28 2016

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

ORDER DISMISSING APPEAL

This is an appeal from an order denying a presentence motion to withdraw guilty plea. Eighth Judicial District Court, Clark County; Richard Scotti, Judge.

After the initial review of this appeal revealed a potential jurisdictional defect, we directed appellant's counsel to show cause why this appeal should not be dismissed for lack of jurisdiction. Appellant's counsel has filed a response to our order, but has failed to demonstrate cause to allow this appeal to continue. An order denying a presentence motion to withdraw a guilty plea is not an appealable order; the decision may be challenged on appeal from the judgment of conviction. See *Hargrove v. State*, 100 Nev. 498, 686 P.2d 222 (1984). Accordingly, we

ORDER this appeal DISMISSED.

Hardesty, J.
Hardesty

Saitta, J.
Saitta

Pickering, J.
Pickering

cc: Hon. Richard Scotti, District Judge
Alan J. Buttell & Associates
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk