

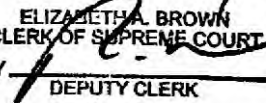
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CORY TYLER NIXON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 79346-COA

FILED

JUL 13 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Cory Tyler Nixon appeals from a judgment of conviction, pursuant to an *Alford*¹ plea, of voluntary manslaughter and battery with the use of a deadly weapon. Eighth Judicial District Court, Clark County; Michael Villani, Judge.

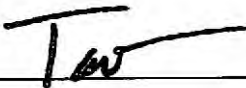
Nixon challenges the constitutionality of his sentence. Nixon waived his right to appeal. He does not challenge the validity of that waiver. Further, his sentence of 6 to 15 years in prison was in accordance with the negotiated plea agreement, wherein Nixon stipulated to a prison sentence and the State agreed not to argue for more than 15 years in prison. See *Cruzado v. State*, 110 Nev. 745, 747, 879 P.2d 1195, 1196 (1994) ("A waiver of the right to appeal does not prevent an appeal when the sentence imposed is not in accordance with the negotiated agreement."), *overruled on other grounds by Lee v. State*, 115 Nev. 207, 210, 985 P.2d 164, 166 (1999).

¹*North Carolina v. Alford*, 400 U.S. 25 (1970).

Because Nixon waived his right to appeal from his judgment of conviction,
we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Michael Villani, District Judge
Oronoz & Ericsson, LLC
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk