


IN THE COURT OF APPEALS OF THE STATE OF NEVADA

VICTOR MELENDEZ MONTELONGO,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 79449-COA

FILED

NOV 09 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
BRIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

Victor Melendez Montelongo appeals from a judgment of conviction entered pursuant to a guilty plea of first-degree murder with the use of a deadly weapon, burglary, and first-degree arson. Second Judicial District Court, Washoe County; Barry L. Breslow, Judge.

Montelongo claims for the first time on direct appeal that his guilty plea is invalid because it was coerced by the State's notice of intent to seek the death penalty. We decline to consider his claim because "a post-conviction petition for a writ of habeas corpus provides the exclusive remedy for a challenge to the validity of the guilty plea made after sentencing for persons in custody on the conviction being challenged." *Harris v. State*, 130 Nev. 435, 448, 329 P.3d 619, 628 (2014). Therefore, we

ORDER the judgment of conviction AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Barry L. Breslow, District Judge  
Law Office of Thomas L. Qualls, Ltd.  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk