

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAVIER BECERRA,

No. 37643

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

**FILED**

**JUL 31 2001**

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of trafficking in a controlled substance. The district court sentenced appellant to serve 24 to 60 months in prison.

Appellant contends that his conviction must be reversed because the guilty plea was not knowingly, voluntarily and intelligently entered and the district court failed to conduct an adequate canvass regarding appellant's ineligibility for probation and whether the plea was coerced. However, this court does not "permit a defendant to challenge the validity of a guilty plea on direct appeal from the judgment of conviction."<sup>1</sup> Such a challenge must be raised in the district court in the first instance by bringing a motion to withdraw the guilty plea or by commencing a post-conviction

<sup>1</sup>Bryant v. State, 102 Nev. 268, 272, 721 P.2d 364, 368 (1986).

01-12917

proceeding under NRS chapter 34.<sup>2</sup> Accordingly, we conclude that the issues raised by appellant are not appropriate for review on direct appeal from the judgment of conviction, and we therefore

ORDER this appeal DISMISSED.

Young, J.  
Young

Leavitt, J.  
Leavitt

Becker, J.  
Becker

cc: Hon. Mark W. Gibbons, District Judge  
Attorney General  
Clark County District Attorney  
Charles Waterman  
Clark County Clerk

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<sup>2</sup>Id.