

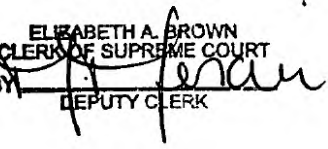
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

NATHANIEL TRAVON MARTIN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 84638-COA

FILED

DEC 15 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Nathaniel Travon Martin appeals from a judgment of conviction entered pursuant to a guilty plea of two counts of battery constituting domestic violence. Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

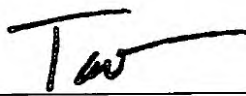
Martin asserts that he should be permitted to withdraw his guilty plea because it was entered under duress due to his incarceration and because of trial continuances caused by the COVID-19 pandemic. “[A] defendant must raise a challenge to the validity of his or her guilty plea in the district court in the first instance.” *Bryant v. State*, 102 Nev. 268, 272, 721 P.2d 364, 368 (1986), *as limited by Smith v. State*, 110 Nev. 1009, 1010-11 n.1, 879 P.2d 60, 61 n.1 (1994). Martin did not raise these challenges to the validity of his plea in the district court, and we decline to consider these issues because they are not properly raised in the first instance on direct appeal. *See Harris v. State*, 130 Nev. 435, 448, 329 P.3d 619, 628 (2014) (“[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.”).

Accordingly, we

ORDER the judgment of conviction AFFIRMED.¹


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

¹The State argues that Martin should not be permitted to appeal from a judgment of conviction stemming from a misdemeanor offense. Martin was initially charged with one felony offense and one misdemeanor offense. See NRS 173.115(3) (providing for when a misdemeanor may be charged with a felony). The felony charge was ultimately reduced to a misdemeanor, and Martin entered a guilty plea to two misdemeanor offenses. NRS 177.015(3) permits an appeal from a final judgment of the district court in a criminal case, and the district court’s judgment of conviction in this matter constitutes a final, appealable order, see *Sandstrom v. Second Judicial Dist. Court*, 121 Nev. 657, 659, 119 P.3d 1250, 1252 (2005) (“[A] final order [is] one that disposes of all issues and leaves nothing for future consideration.”). Thus, this argument lacks merit.

cc: Hon. Kathleen E. Delaney, District Judge
Hill Firm
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk