

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

VALENTINA MONEE KNIGHT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83877-COA

FILED

JAN 13 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

*ORDER OF AFFIRMANCE AND REMANDING TO CORRECT
JUDGMENT OF CONVICTION*

Valentina Monee Knight appeals from a third amended judgment of conviction, entered pursuant to a guilty plea, of attempted burglary. Eighth Judicial District Court, Clark County; Monica Trujillo, Judge.

Knight argues that her plea was invalid because she did not commit attempted burglary as a matter of law. The State argues, and Knight does not dispute, that she waived her right to appeal as part of her plea agreement. Knight does not argue that her plea was not made knowingly and voluntarily, that her claim is outside the scope of the waiver, or that denying her the right to appeal would work a miscarriage of justice. Therefore, we conclude Knight's claim is waived. *See Burns v. State*, 137 Nev., Adv. Op. 50, 495 P.3d 1091, 1099-1100 (2021).¹

Finally, the parties agree that the judgment of conviction contains a clerical error: it incorrectly cites only NRS 205.060, the burglary statute, despite Knight pleading guilty only to attempted burglary. NRS


¹We note that Knight entered her plea on October 18, 2021, and the *Burns* decision was issued on September 23, 2021.

176.105(1)(c) requires the judgment of conviction to contain "the statute under which the defendant is sentenced and, if necessary to determine eligibility for parole, the applicable provision of the statute." Because the district court has the authority to correct a clerical error at any time, see NRS 176.565, we direct the district court, upon remand, to enter a corrected judgment of conviction referencing the statutes necessary to reflect Knight's conviction and sentence for attempted burglary.

For the foregoing reasons, we

ORDER the judgment of conviction AFFIRMED and REMAND to the district court to correct the judgment of conviction.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Monica Trujillo, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk