

IN THE SUPREME COURT OF THE STATE OF NEVADA

JACORBIN CROSS-BURTON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

✓ No. 86685

JACORBIN CROSS-BURTON,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 86940

**FILED**

AUG 11 2023

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER DISMISSING APPEAL (DOCKET NO. 86685)  
AND DENYING MOTION TO CONSOLIDATE*

In Docket No. 86685, appellant challenges a district court order denying a presentence motion to withdraw guilty plea.<sup>1</sup> In Docket No. 86940, appellant challenges the judgment of conviction. Eighth Judicial District Court, Clark County; Jacqueline M. Bluth, Judge.


As explained in *Hargrove v. State*, 100 Nev. 498, 502 n.3, 686 P.2d 222, 225 n.3 (1984), “[i]f a defendant challenges a guilty plea before entry of the judgment, an order denying withdrawal [is] reviewable on direct appeal from the judgment as an intermediate order in the proceedings” pursuant to NRS 177.045 and not independently appealable. *See also Molina v. State*, 120 Nev. 185, 191, 87 P.3d 533, 537 (2004). Thus, here, we lack jurisdiction over the appeal in Docket No. 86685 and order it dismissed; appellant may challenge the intermediate order denying his presentence motion to withdraw guilty plea in the context of his appeal from


<sup>1</sup>Appellant’s motion for leave to file a certified request for transcripts is granted; the transcript request was filed on July 23, 2023.

the judgment of conviction in Docket No. 86940. In light of this order, appellant's motion to consolidate the two cases is denied.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Herndon

  
\_\_\_\_\_, J.  
Lee

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Jacqueline M. Bluth, District Judge  
Ewing WN Enterprises LLC  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk