

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT THOMAS BURNHAM,

No. 38032

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

SEP 27 2001

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

ORDER OF AFFIRMANCE


This is an appeal from a judgment of conviction, pursuant to a nolo contendere plea,¹ of one count of robbery. The district court sentenced appellant to serve a prison term of 60 to 180 months.

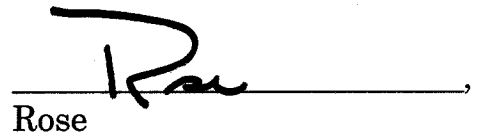
Appellant's sole contention is that the district court erred in denying his presentence, proper person motion to withdraw his nolo contendere plea. Appellant has not provided this court with his presentence motion to withdraw his plea for this court's review. Moreover, in his fast track statement, appellant merely sets forth the bald assertion that his plea was not knowing and voluntary without further cogent argument or citation to relevant facts and legal authority supporting his assertion. Apart from his conclusory statement that his plea was not knowing and voluntary, appellant has failed to make a cogent argument

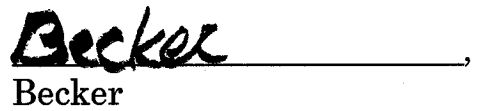
¹Appellant pleaded guilty pursuant to North Carolina v. Alford, 400 U.S. 25 (1970). Under Nevada law, "whenever a defendant maintains his or her innocence but pleads guilty pursuant to Alford, the plea constitutes one of nolo contendere." State v. Gomes, 112 Nev. 1473, 1479, 930 P.2d 701, 705 (1996).

for this court's consideration. Because the issue has not been adequately briefed, we need not consider appellant's contention.² Accordingly, we

ORDER the judgment of conviction AFFIRMED.

 J.
Shearing

 J.
Rose

 J.
Becker

cc: Hon. Donald M. Mosley, District Judge
Attorney General
Clark County District Attorney
Clark County Public Defender
Clark County Clerk

²See Maresca v. State, 103 Nev. 669, 673, 748 P.2d 3, 6 (1987).