

IN THE SUPREME COURT OF THE STATE OF NEVADA

WARREN D. HAGLER A/K/A COREY  
ALLEN HAGLER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 38181

**FILED**

AUG 21 2002

ORDER OF AFFIRMANCE

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

This is a proper person appeal from an order of the district court denying appellant's motion to withdraw a guilty plea.

On April 28, 2000, the district court convicted appellant, pursuant to a guilty plea, of two counts of pandering, one count of pandering of a child, and two counts of living from the earnings of a prostitute. The district court sentenced appellant to serve a minimum term of nineteen months to a maximum term of sixty months for pandering of a child and four additional concurrent terms of a minimum of twelve months to a maximum of thirty-four months for the remaining counts. This court dismissed appellant's direct appeal.<sup>1</sup> The remittitur issued on August 23, 2000.

On October 10, 2000, appellant filed a proper person post-conviction petition for a writ of habeas corpus in the district court. The State opposed the petition. Appellant filed several documents in support of his petition. On December 20, 2000, the district court denied appellant's petition. Appellant's timely appeal was docketed in this court in Docket No. 37240. On March 9, 2001, appellant filed a proper person

---

<sup>1</sup>Hagler v. State, Docket No. 35994 (Order Dismissing Appeal, July 28, 2000).

post-conviction petition for a writ of habeas corpus in the district court.<sup>2</sup> The State opposed the petition. On April 12, 2001, the district court denied appellant's petition. Appellant's timely appeal was docketed in this court in Docket No. 37642. On April 13, 2001, appellant filed a proper person motion to withdraw a guilty plea in the district court. The State opposed the motion. On April 30, 2001, the district court denied the motion. Appellant's timely appeal was docketed in this court in Docket No. 37829. This court consolidated the appeals and affirmed the orders of the district court.<sup>3</sup>

On June 28, 2001, appellant filed another motion to withdraw a guilty plea in the district court. The State opposed the motion. On August 9, 2001, the district court denied the motion. This appeal followed.<sup>4</sup>

Appellant argued that his plea was invalid because he was not informed that he would have a duty to register as a sex offender. We conclude that the district court did not err in denying the motion. First, we note that appellant does not have a duty to register as a sex offender.<sup>5</sup> Rather, appellant must register as an offender convicted of a crime against

---

<sup>2</sup>Appellant labeled his petition a "motion to vacate judgment of conviction as being defective." Because appellant challenged the validity of his conviction, this court construed the motion to be a post-conviction petition for a writ of habeas corpus. See NRS 34.724(2)(b).

<sup>3</sup>Hagler v. State, Docket Nos. 37240, 37642, 37829 (Order of Affirmance, February 14, 2002).


<sup>4</sup>In the interests of judicial economy, this court used the record on appeal filed in Docket No. 37829 to resolve this appeal.


<sup>5</sup>NRS 179D.410 (defining "sexual offenses" for purposes of sex offender registration).

a child.<sup>6</sup> Appellant failed to demonstrate that his plea was invalid because there is no requirement that he must be informed of his registration duty prior to entering into a valid plea.<sup>7</sup>

Having reviewed the record on appeal and for the reasons set forth above, we conclude that appellant is not entitled to relief and that briefing and oral argument are unwarranted.<sup>8</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.

 \_\_\_\_\_ J.  
Young

 \_\_\_\_\_ J.  
Agosti

 \_\_\_\_\_ J.  
Leavitt

cc: Hon. Sally L. Loehrer, District Judge  
Attorney General/Carson City  
Clark County District Attorney  
Warren D. Hagler  
Clark County Clerk

---

<sup>6</sup>NRS 179D.210(3) (providing that an offender must register as an offender convicted of a crime against a child if an offense involved pandering or prostitution of a victim less than 18 years of age).

<sup>7</sup>Bryant v. State, 102 Nev. 268, 721 P.2d 364 (1986) (holding that a guilty plea is presumptively valid and that it is the defendant's burden to demonstrate that the plea was not entered knowingly and intelligently); see also Nollette v. State, 118 Nev. \_\_\_, 46 P.3d 87 (2002) (holding that the duty to register as a sex offender is a collateral consequence and the failure to advise a defendant of the requirement does not invalidate the guilty plea).

<sup>8</sup>Luckett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).