

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL J. WENZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 38964

FILED

APR 10 2002

JANETTE M. BLOOM
CLERK OF SUPREME COURT

BY *Richard*
CHIEF DEPUTY CLERK

ORDER DISMISSING APPEAL

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of attempted possession of a controlled substance. The district court sentenced appellant Michael J. Wenz to serve a prison term of 12-34 months.

Wenz contends that his guilty plea was not entered into knowingly and voluntarily because he was under the influence of medication. Wenz argues that the medication he was taking rendered him unable to fully understand the plea agreement.

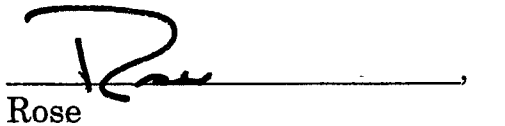
This court decided in Bryant v. State that it would "no longer permit a defendant to challenge the validity of a guilty plea on direct appeal from the judgment of conviction."¹ Wenz must raise this issue in the district court in the first instance by bringing a motion to withdraw his guilty plea or by commencing a post-conviction proceeding pursuant to

¹102 Nev. 268, 272, 721 P.2d 364, 368 (1986).

NRS chapter 34.² Therefore, we decline to consider the merits of Wenz's challenge to the validity of his guilty plea. Accordingly, we

ORDER this appeal DISMISSED.

 J.
Shearing

 J.
Rose

 J.
Becker

cc: Hon. Valorie Vega, District Judge
Clark County Public Defender
Attorney General/Carson City
Clark County District Attorney
Clark County Clerk

²Id.