

IN THE SUPREME COURT OF THE STATE OF NEVADA

TERRY ALLEN LYONS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 40302

FILED

JAN 24 2003

ORDER OF AFFIRMANCE

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

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of possession of a cheating device. The district court sentenced appellant to a prison term of 12 to 48 months, suspended the sentence and placed appellant on probation for a period of 5 years.


Appellant's sole contention is that the district court erred by denying his pre-trial petition for a writ of habeas corpus. However, by pleading guilty, appellant waived all errors, including the deprivation of constitutional rights that occurred prior to entry of his guilty plea.¹

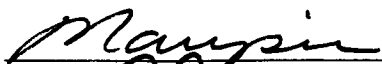
¹See Tollett v. Henderson, 411 U.S. 258, 267 (1973); Webb v. State, 91 Nev. 469, 470, 538 P.2d 164, 165 (1975).

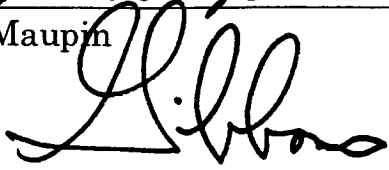
Moreover, appellant entered his guilty plea without preserving his right pursuant to NRS 174.035(3) to challenge the district court's ruling.²

Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Rose


_____, J.
Maupin


_____, J.
Gibbons

cc: Hon. John S. McGroarty, District Judge
Flangas Law Office
Attorney General/Carson City
Clark County District Attorney
Clark County Clerk

²NRS 174.035(3) provides that a defendant may enter a conditional guilty plea, "reserving in writing the right, on appeal from the judgment, to a review of the adverse determination of any specified pretrial motion."