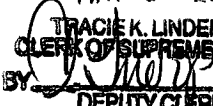


IN THE SUPREME COURT OF THE STATE OF NEVADA

SEAN W. ARMSTRONG,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 51917

**FILED**

MAY 04 2009  
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER OF AFFIRMANCE

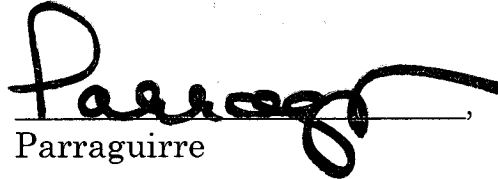
This is an appeal from a judgment of conviction, entered pursuant to a guilty plea, of one count of trafficking in a controlled substance. Sixth Judicial District Court, Humboldt County; John M. Iroz, Judge. The district court sentenced appellant Sean Armstrong to serve a prison term of 10 to 25 years.

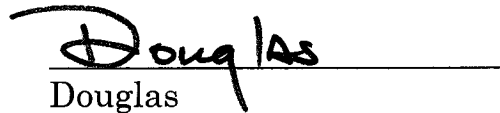
On appeal, Armstrong's sole contention is that he did not knowingly, voluntarily, and intelligently enter his guilty plea because he was unable "to fully understand the court during the plea canvass because of possible methamphetamine withdrawal and [a] low level of education."

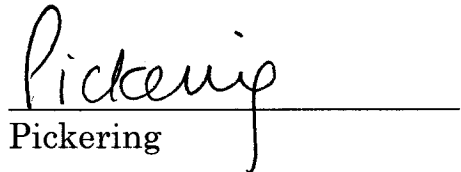
Generally, this court will not consider a challenge to the validity of a guilty plea on direct appeal from a judgment of conviction. Bryant v. State, 102 Nev. 268, 272, 721 P.2d 364, 368 (1986); but see Smith v. State, 110 Nev. 1009, 1010-11 n.1, 879 P.2d 60, 61 n.1 (1994). "Instead, a defendant must raise a challenge to the validity of his or her guilty plea in the district court in the first instance, either by bringing a motion to withdraw the guilty plea, or by initiating a post-conviction proceeding." Bryant, 102 Nev. at 272, 721 P.2d at 368.

Armstrong does not claim that he previously raised a challenge to the validity of his plea in the district court, and the alleged error does not clearly appear on the record. Therefore, we decline to consider Armstrong's contention and we

ORDER the judgment of conviction AFFIRMED.

 J.  
Parraguirre

 J.  
Douglas

 J.  
Pickering

cc: Sixth Judicial District Court Dept. 2, District Judge  
Paul E. Quade  
Attorney General Catherine Cortez Masto/Carson City  
Humboldt County District Attorney  
Humboldt County Clerk