

IN THE SUPREME COURT OF THE STATE OF NEVADA

JERI LYNN LUCAS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 52843

FILED

JUL 06 2009

ORDER OF AFFIRMANCE

TRACEE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of possession of stolen property. Ninth Judicial District Court, Douglas County; Michael P. Gibbons, Judge. The district court sentenced appellant Jeri Lynn Lucas to a prison term of 12-32 months, suspended execution of the sentence, and placed her on probation for an indeterminate period not to exceed 36 months.

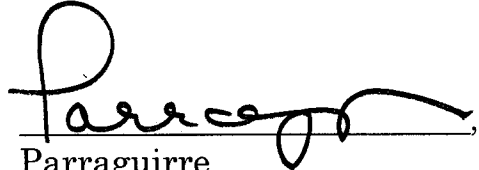
Lucas contends that the district court erred by accepting her guilty plea. Specifically, Lucas claims that the State failed to provide a sufficient factual basis to support the entry of a guilty plea. Lucas asks this court to vacate her plea and sentence and remand the matter back to the district court for a new arraignment.

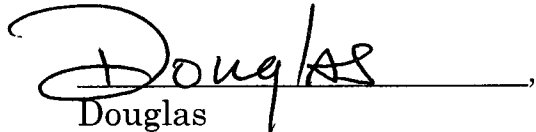
This court has held that, generally, challenges to the validity of a guilty plea must be raised in the district court in the first instance by either filing a motion to withdraw the guilty plea or commencing a post-conviction proceeding pursuant to NRS chapter 34. Bryant v. State, 102 Nev. 268, 272, 721 P.2d 364, 368 (1986); see also O'Guinn v. State, 118 Nev. 849, 851-52, 59 P.3d 488, 489-90 (2002). Because the record does not indicate that Lucas challenged the validity of her guilty plea in the district

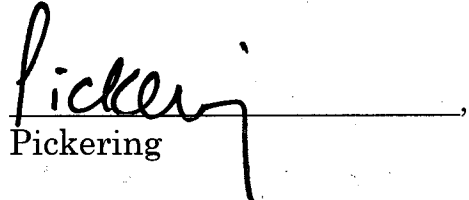
court, her claim is not appropriate for review on direct appeal from the judgment of conviction, and therefore, we need not address it. Bryant, 102 Nev. at 272, 721 P.2d at 368.

Having considered Lucas' contention and concluded that it is not appropriately raised at this time, we

ORDER the judgment of conviction AFFIRMED.

 J.
Parraguirre

 J.
Douglas

 J.
Pickering

cc: Hon. Michael P. Gibbons, District Judge
Derrick M. Lopez
Attorney General Catherine Cortez Masto/Carson City
Douglas County District Attorney/Minden
Douglas County Clerk