

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER JOHN FLOYD,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55391

FILED

FEB 03 2011

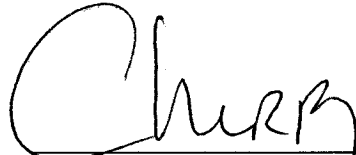
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK


ORDER VACATING JUDGMENT AND REMANDING


This is an appeal from a judgment of conviction, pursuant to a guilty plea, of attempted solicitation of a minor to engage in acts constituting a crime against nature and lewdness with a child under 14 years of age. Fifth Judicial District Court, Nye County; John P. Davis, Judge.

Given the lack of meeting of the minds with respect to the plea agreement, which was explicitly conceded by the State at oral argument, we conclude that the plea agreement is not valid. E.g., State v. Crockett, 110 Nev. 838, 842, 877 P.2d 1077, 1079 (1994) (providing that plea agreements are subject to contract principles). We therefore vacate the judgment of conviction and remand this case for further proceedings. We also reinstate the second amended information. Accordingly, we

ORDER the judgment of the district court VACATED AND REMAND this matter to the district court for proceedings consistent with this order.¹


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. John P. Davis, District Judge
Law Offices of C. Conrad Claus
Attorney General/Carson City
Nye County District Attorney/Pahrump
Nye County Clerk

¹In light of our resolution, we need not reach appellant's remaining contentions.