

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARC CARDONA, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55931

FILED

JUL 14 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *H. Ingersoll*
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction, pursuant to a guilty plea, of second-degree murder with the use of a deadly weapon and battery with the use of a deadly weapon causing substantial bodily harm. Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.


Appellant Marc Cardona claims that the district court erred when it denied his motion to substitute counsel. By pleading guilty, Cardona waived any challenge to the district court's denial of his motion, which occurred prior to the entry of the plea. Webb v. State, 91 Nev. 469, 470, 538 P.2d 164, 165 (1975). Additionally, there is no indication in the record that Cardona expressly preserved this issue for review on appeal. See NRS 174.035(3).¹

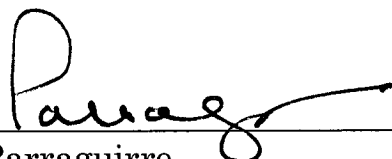
¹To the extent that Cardona makes a cursory claim that the plea must be set aside because he "did not make a factual statement constituting admission to the charge," such an assertion is belied by the record.

Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Linda Marie Bell, District Judge
Christopher R. Oram
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk