

IN THE SUPREME COURT OF THE STATE OF NEVADA

BENJAMIN W. DENT,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 59269

FILED

APR 11 2012

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

ORDER OF AFFIRMANCE

This is a proper person appeal from an order denying a motion to withdraw the guilty plea.¹ Eighth Judicial District Court, Clark County; Doug Smith, Judge.

In his motion filed on August 8, 2011, appellant claimed that he received ineffective assistance of counsel and that his plea was invalid. We conclude that the equitable doctrine of laches precluded consideration of the motion because there was a more than two-year delay from entry of the judgment of conviction, there was inexcusable delay in seeking relief, and an implied waiver exists from appellant's knowing acquiescence in existing conditions. Hart v. State, 116 Nev. 558, 563-64, 1 P.3d 969, 972

¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Luckett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

(2000). Therefore, the district court did not err in denying appellant's motion. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²

Cherry, J.
Cherry

Pickering, J.
Pickering

Hardesty, J.
Hardesty

cc: Hon. Doug Smith, District Judge
Benjamin W. Dent
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.