

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARREN LAMONT MCCOY,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 63317

FILED

JUL 22 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY A. Malone
DEPUTY CLERK

ORDER OF AFFIRMANCE

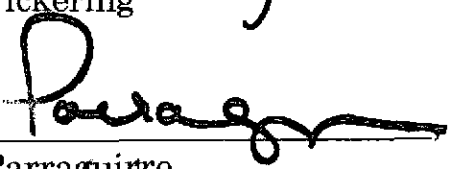
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of robbery with the use of a deadly weapon. Eighth Judicial District Court, Clark County; Carolyn Ellsworth, Judge.


Appellant Darren Lamont McCoy's sole contention on appeal is that his guilty plea was not knowing and voluntary. He asserts that he did not have an adequate understanding of the charge to which he pleaded guilty. Generally, challenges to the validity of the 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 timely post-conviction proceeding pursuant to NRS chapter 34. *Bryant v. State*, 102 Nev. 268, 272, 721 P.2d 364, 367-68 (1986), as limited by *Smith v. State*, 110 Nev. 1009, 1010 n.1, 879 P.2d 60, 61 n.1 (1994), 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 McCoy challenged the validity of his guilty plea on this basis in the district court, his 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. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Pickering


_____, J.
Parraguirre


_____, J.
Saitta

cc: Hon. Carolyn Ellsworth, District Judge
Sandra L. Stewart
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk