

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DEONTE COLEMAN,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 75286-COA

FILED

MAY 15 2019

ELIZABETH A. BROWN  
CLERK OF THE COURT  
BY: *[Signature]*  
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

Deonte Coleman appeals from a judgment of conviction, entered pursuant to an *Alford*<sup>1</sup> plea, of second-degree murder with the use of a deadly weapon. Eighth Judicial District Court, Clark County; Valerie Adair, Judge.

First, Coleman claims he should be able to withdraw his plea. A challenge to the validity of a guilty plea must be raised in the district court in the first instance in a motion to withdraw the guilty plea or in a postconviction petition for a writ of habeas corpus, unless the error clearly appears from the record. *Bryant v. State*, 102 Nev. 268, 272, 721 P.2d 364, 368 (1986), as limited by *Smith v. State*, 110 Nev. 1009, 1010-11 n.1, 879 P.2d 60, 61 n.1 (1994). Because Coleman did not challenge the validity of his guilty plea in the district court, and he did not demonstrate the alleged error clearly appears on the record, we decline to address this claim for the first time on appeal.


Second, Coleman claims the district court erred by denying his motion to suppress the statement made by a child-witness. The entry of a


<sup>1</sup>*North Carolina v. Alford*, 400 U.S. 25 (1970).

19-21271

guilty plea generally waives any right to appeal from events occurring prior to the entry of the plea. *Webb v. State*, 91 Nev. 469, 470, 538 P.2d 164, 165 (1975); accord *Tollett v. Henderson*, 411 U.S. 258, 267 (1973). There is no indication in the record that Coleman preserved the right to challenge the district court's denial of the motion to suppress. See NRS 174.035(3). Therefore, we decline to consider this claim. Accordingly, we

ORDER the judgment of the conviction AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Valerie Adair, District Judge  
Law Offices of Carl E.G. Arnold  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk