

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2025 ND 159

Stacey Rae Duchaine, Petitioner and Appellant

v.

State of North Dakota, Respondent and Appellee

No. 20250118

Appeal from the District Court of Burleigh County, South Central Judicial District, the Honorable Jackson J. Lofgren, Judge.

AFFIRMED.

Per Curiam.

Kiara C. Kraus-Parr, Grand Forks, N.D., for petitioner and appellant; on brief.

Julie A. Lawyer, State's Attorney, Bismarck, N.D., for respondent and appellee; on brief.

Duchaine v. State
No. 20250118

Per Curiam.

[¶1] Stacey Duchaine appeals from an order denying her application for postconviction relief entered after an evidentiary hearing. Duchaine argues the district court erred by not allowing her to withdraw her guilty plea to driving under suspension. She contends the court erred in concluding she failed to factually establish a probable cause determination was not made within 48 hours of her arrest, failed to establish she was prejudiced by any alleged delay of the probable cause determination, and waived the delayed probable cause determination argument by pleading guilty. We summarily affirm under N.D.R.App.P. 35.1(a)(7). *See State v. Greene*, 2025 ND 10, ¶ 6, 16 N.W.3d 188 (“Generally, a guilty plea waives all non-jurisdictional claims and defenses.”).

[¶2] Jon J. Jensen, C.J.
Daniel J. Crothers
Lisa Fair McEvers
Jerod E. Tufte
Douglas A. Bahr