

IN THE SUPREME COURT OF THE STATE OF NEVADA

FREDERICK HALLEY HEIMRICH,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 42989

FILED

APR 07 2004

ORDER DENYING PETITION

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK

This is a proper person petition for a writ of certiorari. Petitioner claims that the district attorney and attorney general failed to inform various courts of a confession of error entered into in petitioner's co-defendant's case. Petitioner believes that the confession of error should have been applied to his case as well.

We have considered the petition on file herein, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. A petition challenging the validity of the judgment of conviction must be filed in the district court in the first instance.¹ Petitioner may then appeal to this court from a final adverse order.² Therefore, petitioner has an adequate remedy in the ordinary course and scope of the law which will generally preclude issuance of an extraordinary writ.³ Petitioner further exceeded the scope of a petition for

¹See NRS 34.724(2); NRS 34.738(1). We express no opinion as to whether petitioner may satisfy the procedural requirements of NRS chapter 34.

²See NRS 34.575.


³See NRS 34.020(2).


a writ of certiorari because petitioner did not challenge the actions of an inferior tribunal, board or officer, exercising judicial functions.⁴

Accordingly, we

ORDER the petition DENIED.

 C.J.
Shearing

 J.
Rose

 J.
Maupin

cc: Frederick Halley Heimrich
Attorney General Brian Sandoval/Carson City
Nye County Clerk

⁴See id.