

IN THE SUPREME COURT OF THE STATE OF NEVADA

JONATHAN EDWARD WATKINS,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 43346

FILED

JUN 09 2004

ORDER DENYING PETITION

JANETTE J. BLOOM
CLERK OF SUPREME COURT
BY J. Richards
DEPUTY CLERK


This is a proper person petition for extraordinary relief in which petitioner challenges the validity of his judgment of conviction and sentence. 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 challenge to the validity of the judgment of conviction must be raised in a post-conviction petition for a writ of habeas corpus filed in the district court in the first instance.¹ Petitioner may then appeal to this court from any final written order denying the petition.²


¹See NRS 34.724(2)(b); NRS 34.738(1).


²See NRS 34.575.

The fact that petitioner abandoned claims in a prior habeas corpus proceeding does not alter this requirement. Accordingly, we

ORDER the petition DENIED.³


_____, J.
Becker


_____, J.
Agosti


_____, J.
Gibbons

cc: Hon. Peter I. Breen, District Judge
Jonathan Edward Watkins
Attorney General Brian Sandoval/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

³We have received petitioner's proper person motion for leave to proceed in proper person, and we deny the motion as moot.