

IN THE SUPREME COURT OF THE STATE OF NEVADA

JAMES ANTHONY DAVIS,  
Petitioner,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 43563

**FILED**


AUG 23 2004


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

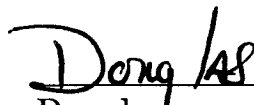
ORDER DENYING PETITION

This is a proper person petition for a writ of habeas corpus. Petitioner challenges the validity of his judgment of conviction. 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 post-conviction petition for a writ of habeas corpus challenging the validity of a judgment of conviction must be filed in the district court in the first instance.<sup>1</sup> Petitioner may then appeal from any final adverse order.<sup>2</sup> Accordingly, we

ORDER the petition DENIED.<sup>3</sup>

  
\_\_\_\_\_, J.  
Rose

  
\_\_\_\_\_, J.  
Maupin

  
\_\_\_\_\_, J.  
Douglas

<sup>1</sup>See NRS 34.738(1).

<sup>2</sup>See NRS 34.575.

<sup>3</sup>We have received petitioner's request for records and motion to proceed in forma pauperis. In light of our disposition, we deny the requests as moot.

cc: Hon. Nancy M. Saitta, District Judge  
James Anthony Davis  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk