

IN THE SUPREME COURT OF THE STATE OF NEVADA

NORMAN TYRONE POWELL,  
Petitioner, 

No. 43666

vs.  
WARDEN, ELY STATE PRISON, E.K.  
MCDANIEL,  
Respondent.

FILED


AUG 19 2004

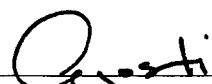
JANETTE M. BLOOM  
CLERK OF SUPREME COURT

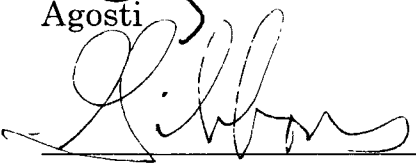
BY   
CHIEF DEPUTY CLERK

ORDER DENYING PETITION

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

  
\_\_\_\_\_, J.  
Becker

  
\_\_\_\_\_, J.  
Agosti

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

<sup>1</sup>See NRS 34.724(2)(b); NRS 34.738(1). We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34.

<sup>2</sup>See NRS 34.575(1).

cc: Hon. Steven R. Kosach, District Judge  
Norman Tyrone Powell  
Attorney General Brian Sandoval/Carson City  
Washoe County District Attorney Richard A. Gammick  
Washoe District Court Clerk