

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEPHEN M. DELONG,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE, AND THE HONORABLE
STEVEN P. ELLIOTT, DISTRICT
JUDGE,
Respondents,
and
CITY OF RENO,
Real Party in Interest.

No. 43823

FILED

SEP 17 2004

JANETTE M. GLOOM
CLERK OF SUPREME COURT
BY *J. Richard*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION

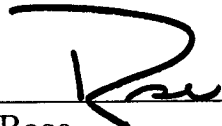
This is a proper person petition for post-conviction relief. Petitioner seeks to challenge the validity of his judgment of conviction and sentence. We have considered the petition on file herein, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time.¹ A challenge to the validity of a 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.²

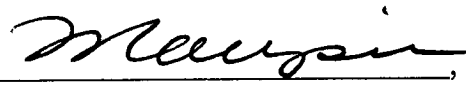
¹See NRS 34.020; NRS 34.160; NRS 34.320.

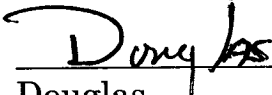
²See NRS 34.724.

Petitioner may then appeal from any final adverse decision.³ Accordingly,
we

ORDER the petition DENIED.


_____, J.
Rose


_____, J.
Maupin


_____, J.
Douglas

cc: Hon. Steven P. Elliott, District Judge
Stephen M. Delong
Reno City Attorney

³See NRS 34.575.