

IN THE SUPREME COURT OF THE STATE OF NEVADA

SHARMARLO ANTOINE TINCH,
Petitioner,
vs.
WARDEN, SOUTHERN DESERT
CORRECTIONAL CENTER, JAMES G.
COX,
Respondent.

No. 43854

FILED

SEP 15 2004

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Ruback*
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 is warranted at this time. 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.¹ Petitioner may then appeal from any

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

adverse, final order.² Accordingly, we

ORDER the petition DENIED.

Becker, J.
Becker

Agosti, J.
Agosti

Gibbons, J.
Gibbons

cc: Hon. Jessie Elizabeth Walsh, District Judge
Sharmarlo Antoine Tinch
Attorney General Brian Sandoval/Carson City
Clark County Clerk

²See NRS 34.575.