IN THE SUPREME COURT OF THE STATE OF NEVADA

NORMAN TYRONE POWELL,
Petitioner,
VS.
WARDEN, ELY STATE PRISON, E.K. MCDANIEL,
Respondent.
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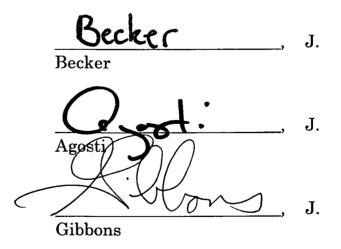
No. 44198

NOV 1 5 2004

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. A post-conviction petition for a writ of habeas corpus should be filed in the district court in the first instance.¹ Petitioner may then appeal to this court from a final, adverse decision.² Accordingly, we

ORDER the petition DENIED.



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

²See NRS 34.575(1).

SUPREME COURT OF NEVADA 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

(O) 1947A