

IN THE SUPREME COURT OF THE STATE OF NEVADA

NORMAN TYRONE POWELL,
Petitioner,
vs.
WARDEN, ELY STATE PRISON, E.K.
MCDANIEL,
Respondent.

No. 44198

FILED

NOV 15 2004

ORDER DENYING PETITION

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

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.

Becker
_____, J.
Becker

Agosti
_____, J.
Agosti

Gibbons
_____, J.
Gibbons

¹See 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).

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