

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROY A. O'GUINN,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 44241

FILED

DEC 02 2004

ORDER DENYING PETITION

JANETTE M. HLOCM
CLERK OF SUPREME COURT
BY *J. Rose*
CHIEF DEPUTY CLERK

This is a proper person petition for extraordinary relief. Petitioner challenges the validity of his judgment of conviction. We have considered the petition on file herein, and we are not satisfied that extraordinary relief is warranted. A challenge to the validity of the judgment of conviction should 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 to this court from a final adverse decision.² Accordingly, we

ORDER the petition DENIED.

Rose J.
Rose

Maupin J.
Maupin

Douglas J.
Douglas

¹See 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.

²See NRS 34.575(1).

cc: Eighth Judicial District Court Dept. 5, District Judge
Roy A. O'Guinn
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk