

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN JOANTHONY NEAL A/K/A
STEVEN J. NEAL,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, THE HONORABLE JOHN S.
MCGROARTY, DISTRICT JUDGE,
Respondents,

and

CLARK COUNTY DISTRICT
ATTORNEY, DAVID ROGER AND THE
STATE OF NEVADA,
Real Parties in Interest.

No. 44530

FILED

FEB 16 2005

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


ORDER DENYING PETITION

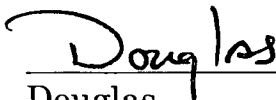
This is a proper person petition for a writ of mandamus. Petitioner seeks an order directing the district court to conduct a new hearing in post-conviction proceedings. Petitioner further challenges the validity of his judgment of conviction and sentence. We have considered the petition on file herein, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time.¹ A challenge to the validity of a judgment of conviction should be raised in a post-conviction petition for a writ of habeas corpus filed in the district

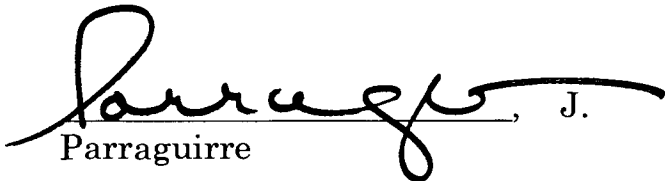
¹See NRS 34.160; NRS 34.170.

court in the first instance.² Petitioner may then appeal to this court from a final, adverse decision.³ Accordingly, we

ORDER the petition DENIED.


_____, J.
Maupin


_____, J.
Douglas


_____, J.
Parraguirre

cc: Hon. John S. McGroarty, District Judge
Steven Joanthony Neal
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

²See 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.

³See NRS 34.575(1).