

IN THE SUPREME COURT OF THE STATE OF NEVADA

FELTON L. MATTHEWS, JR.,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 44869

FILED

OCT 18 2005

ORDER DISMISSING PETITION

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

This is a proper person original petition for a writ of habeas corpus or other extraordinary relief, based on an alleged denial of proper medical care. Petitioner has voluntarily moved to dismiss his petition because we previously affirmed an order denying his prior petition that was raised in the district court on the same grounds, and petitioner is now seeking habeas relief in federal court. In consideration of petitioner's motion,¹ as well as the fact that we generally will not entertain original writ applications in habeas corpus proceedings,² and in light of petitioner's failure to pay the filing fee,³ we conclude that dismissal is appropriate. Accordingly, we

ORDER this petition DISMISSED.

Maupin J.
Maupin

Gibbons J.
Gibbons

Hardesty J.
Hardesty

¹Although petitioner was not granted leave to file papers in proper person, see NRAP 46(b), we have considered all proper person documents received from petitioner.

²See NRAP 22.

³See NRAP 21(e).

cc: Felton L. Matthews, Jr.
Attorney General Brian Sandoval/Carson City