

IN THE SUPREME COURT OF THE STATE OF NEVADA

KENNETH DUANE MANNING,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 45060

FILED

MAY 27 2005

ORDER DENYING PETITION

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

This is a proper person petition for "a writ of habeas corpus ad-subjiciendum and nisi plea." Petitioner challenges the validity of his judgment of conviction and sentence and seeks at least two million dollars in damages. We decline to exercise this court's original jurisdiction to conduct extraordinary review of the merits of petitioner's challenge to the validity of his judgment of conviction and sentence. 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 court in the first instance.¹ Petitioner may then appeal to this court from a final, adverse

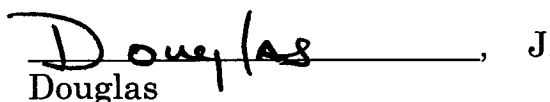
¹See NRS 34.724(2)(b); NRS 34.738(1). We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34.

decision.² Accordingly, we

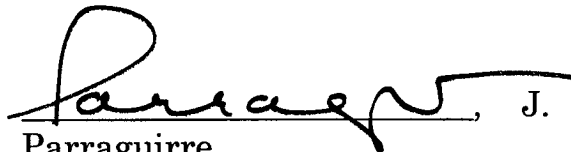
ORDER the petition DENIED.³



Maupin



Douglas



Parraguirre

cc: Hon. Donald M. Mosley, District Judge
Kenneth Duane Manning
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

²See NRS 34.575(1).

³We have considered petitioner's proper person documents and conclude that no relief is warranted for the reasons set forth above.