

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD ALLEN CAPRI,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
SALLY L. LOEHRER, DISTRICT
JUDGE,
Respondents.

No. 45437

FILED

JUL 06 2005

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. P. [Signature]*
CHIEF DEPUTY CLERK


ORDER DENYING PETITION

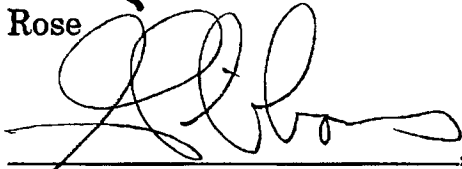
This is a proper person petition for a writ of mandamus, or in the alternative, a writ of prohibition. Petitioner challenges the validity of his judgment of conviction on jurisdictional grounds. A challenge to the validity of a judgment of a conviction must be raised in a post-conviction petition for 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

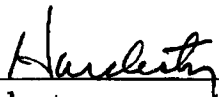
¹See NRS 34.738(1). We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34.

decision.² Accordingly, we

ORDER the petition DENIED.³


_____, J.
Rose


_____, J.
Gibbons


_____, J.
Hardesty

cc: Hon. Sally L. Loehrer, District Judge
Richard Allen Capri
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

²See NRS 34.575(1).

³We have reviewed all proper person documents submitted in this matter, and we conclude that no relief is warranted for the reason set forth above.