

IN THE SUPREME COURT OF THE STATE OF NEVADA

GENE ANTHONY ALLEN,
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

OFFICE OF THE ATTORNEY
GENERAL AND THE STATE OF
NEVADA,

Real Parties in Interest.

No. 45447

FILED

JUL 20 2005

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

ORDER DENYING PETITION

This is a proper person petition for a writ of certiorari. The petition is largely incomprehensible. It appears that petitioner is challenging the validity of his judgment of conviction and sentence.


"A writ of certiorari is an extraordinary remedy and the decision to entertain a petition for a writ of certiorari lies within the discretion of this court."¹ 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.² A challenge to the validity of the judgment of conviction and sentence must be raised in a post-conviction


¹Zamarripa v. District Court, 103 Nev. 638, 640, 747 P.2d 1386, 1387 (1987).

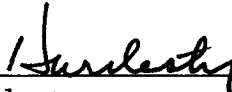
²See NRS 34.020.

petition for a writ of habeas corpus filed in the district court in the first instance.³ Petitioner may then appeal to this court from a final, adverse decision.⁴ Accordingly, we

ORDER the petition DENIED.⁵


_____, J.
Rose


_____, J.
Gibbons


_____, J.
Hardesty

cc: Hon. John S. McGroarty, District Judge
Gene Anthony Allen
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

³See NRS 34.738(1). We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34.

⁴See NRS 34.575(1).

⁵We have received all of the proper person documents submitted in this matter, and we conclude that no relief is warranted for the reason set forth above.