

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN TOLE MOXLEY,  
Petitioner,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 45905

**FILED**

SEP 26 2005

ORDER DENYING PETITION

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

This is a proper person petition for a writ of habeas corpus. Petitioner requests from this court an order appointing counsel for a petition for a writ of habeas corpus, for a copy of his record on appeal, and for any other relief this court deems appropriate. A petition for a writ of habeas corpus must be raised in the district court in the first instance.<sup>1</sup> Petitioner may then appeal to this court from a final, adverse decision.<sup>2</sup> Accordingly, we

ORDER the petition DENIED.

Maupin, J.  
Maupin

Gibbons, J.  
Gibbons

Hardesty, J.  
Hardesty

<sup>1</sup>See NRAP 22; NRS 34.738; NRS 34.750. We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34.

<sup>2</sup>NRS 34.575.

cc: Honorable Jackie Glass, District Judge  
John Tole Moxley  
Attorney General Brian Sandoval/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk