

IN THE SUPREME COURT OF THE STATE OF NEVADA

LAVAR G. VARNADO,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
NANCY M. SAITTA, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 46248

FILED

DEC 06 2005

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

ORDER DENYING PETITION

This is a proper person petition for extraordinary relief. Citing to Article 6, Section 4 of the Nevada Constitution, petitioner challenges the validity of his judgment of conviction and sentence.

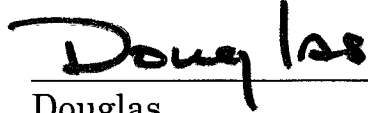
This court has held that it "will not exercise its original jurisdiction to consider a writ petition in a criminal case raising claims that could or should have been raised in an appeal or in an appropriate post-conviction proceeding in the district court."¹ We have reviewed the documents before this court, and we decline to exercise this court's original jurisdiction in this matter. Petitioner may raise his claims in a post-conviction petition for a writ of habeas corpus filed in the district court.²


¹Hosier v. State, 121 Nev. ___, ___, 117 P.3d 212, 213 (2005).

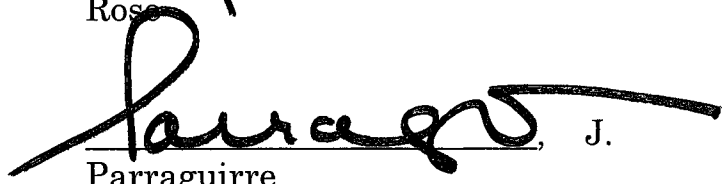
²See NRS 34.724(2)(b); NRS 34.738(1). We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34.

Petitioner may appeal to this court from a final, adverse decision.³
Accordingly, we

ORDER the petition DENIED.


_____, J.
Douglas


_____, J.
Rose


_____, J.
Parraguirre

cc: Hon. Nancy M. Saitta, District Judge
Lavar G. Varnado
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk

³See NRS 34.575(1).