

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER O'NEILL,  
Petitioner,  
vs.  
WARDEN, ELY STATE PRISON, E.K.  
MCDANIEL,  
Respondent.

No. 46480

**FILED**

**JAN 10 2006**

ORDER DENYING PETITION

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

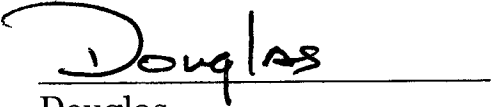
This is a proper person petition for a writ of habeas corpus. Petitioner challenges the validity of his judgment of conviction and sentence. We have considered the petition on file herein, and we are not satisfied that this court's intervention is warranted at this time. A challenge to the validity of the judgment of conviction must be raised in a post-conviction petition for a writ of habeas corpus filed in the district court in the first instance.<sup>1</sup> Petitioner may then appeal to this court from

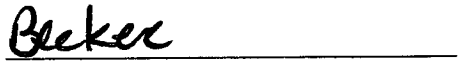
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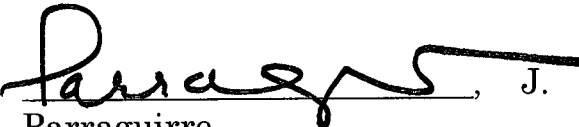
<sup>1</sup>See NRS 34.724; NRS 34.738. We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34.

an adverse decision.<sup>2</sup> Accordingly, we

ORDER the petition DENIED.<sup>3</sup>

 J.  
Douglas

 J.  
Becker

 J.  
Parraguirre

cc: Hon. Steven P. Elliott, District Judge  
Christopher Sound O'Neill  
Attorney General George Chanos/Carson City  
Washoe County District Attorney Richard A. Gammick  
Washoe District Court Clerk

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<sup>2</sup>See NRS 34.575.

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