

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARELL WAYNE KIRKWOOD,  
Petitioner,  
vs.  
WARDEN, NORTHERN NEVADA  
CORRECTIONAL CENTER, DON  
HELLING,  
Respondent.

No. 46621

**FILED**

**FEB 14 2006**

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 habeas corpus. Petitioner challenges the validity of his judgment of conviction. We have considered the petition on file herein, and we are not satisfied that this court's intervention is warranted. A challenge to the validity of the judgment of conviction should 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>

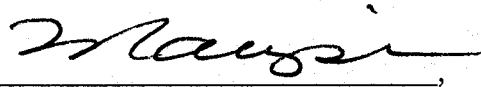
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<sup>1</sup>See NRS 34.724; NRS 34.738(1). We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34.

Petitioner may then appeal to this court from a final, adverse order.<sup>2</sup>

Accordingly, we

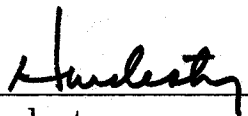
ORDER the petition DENIED.<sup>3</sup>

 J.

Maupin

 J.

Gibbons

 J.

Hardesty

cc: Hon. Andrew J. Puccinelli, District Judge  
Darell Wayne Kirkwood  
Attorney General George Chanos/Carson City  
Elko County Clerk

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<sup>2</sup>See NRS 34.575(1).

<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.