

IN THE SUPREME COURT OF THE STATE OF NEVADA

DENNIS JUNIOR COOPER, III,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, THE HONORABLE JOSEPH T.  
BONAVENTURE, DISTRICT JUDGE,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 46627

**FILED**

FEB 14 2006

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

ORDER DENYING PETITION

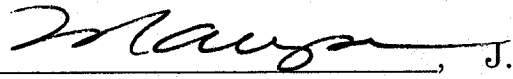
This is a proper person petition for a writ of error coram nobis. Petitioner, currently in the custody of the Nevada Department of Corrections pursuant to a Nevada conviction, challenges the validity of his Nevada judgment of conviction. We have considered the petition on file herein, and we are not satisfied that this court's intervention. A challenge to the validity of the judgment of conviction made by a person in custody 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> Petitioner may then appeal

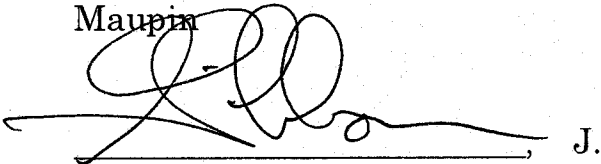
---

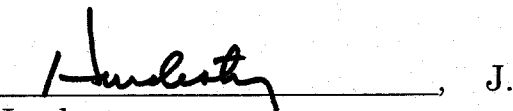
<sup>1</sup>See NRS 34.724(2)(b); NRS 34.738(1). We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34. A habeas corpus petitioner may be entitled to review of defaulted claims if the failure to review the claims would result in a fundamental miscarriage of justice. See Mazzan v. Warden, 112 Nev. 838, 842, 921 P.2d 920, 922 (1996).

to this court from a final, adverse decision of the district court.<sup>2</sup>  
Accordingly, we

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

  
\_\_\_\_\_, J.  
Maupin

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Hardesty

cc: Hon. Joseph T. Bonaventure, District Judge  
Dennis Junior Cooper III  
Attorney General George Chanos/Carson City  
Clark County District Attorney David J. Roger  
Clark County Clerk

---

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

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