

IN THE SUPREME COURT OF THE STATE OF NEVADA

LEONELL GOODE DALUPAN,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, THE HONORABLE DONALD
M. MOSLEY, DISTRICT JUDGE,
Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 48947

FILED

MAR 08 2007

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

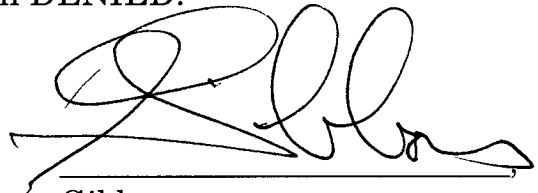
ORDER DENYING PETITION

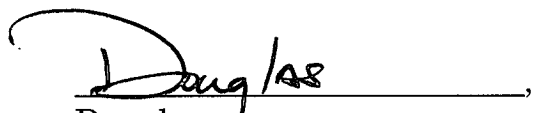
This is a proper person petition for a writ of prohibition. Petitioner seeks the issuance of a writ prohibiting the execution of the special sentence of lifetime supervision. Petitioner argues that he was not aware of the special sentence of lifetime supervision prior to entering his guilty plea. We have reviewed the documents before this court, and we conclude that this court's intervention is not warranted at this time.¹ A challenge to the validity of the judgment of conviction and sentence must

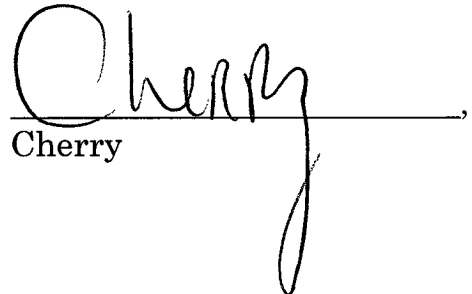
¹See NRS 34.320; NRS 34.330.

be raised in a post-conviction petition for a writ of habeas corpus filed in the district court in the first instance.² Accordingly, we

ORDER the petition DENIED.³


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Cherry

²See NRS 34.724; NRS 34.738. We express no opinion as to whether petitioner may satisfy the procedural requirements of NRS chapter 34. Petitioner may challenge the validity of his guilty plea in a post-conviction petition for a writ of habeas corpus. See NRS 34.810(1)(a). Notably, the district court is required to impose the special sentence of lifetime supervision when the defendant is convicted of certain enumerated sexual offenses. See NRS 176.0931. Petitioner's crime of attempted lewdness with a minor under the age of fourteen is one such offense. See NRS 176.0931(5)(c)(1),(2).

³We have considered all proper person documents received in this matter, and we conclude that no relief is warranted.

cc: Hon. Donald M. Mosley, District Judge
Leonell Goode Dalupan
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk