

IN THE SUPREME COURT OF THE STATE OF NEVADA

VICTORIANO GARCIA-LOPEZ,
Petitioner,
vs.
THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE, THE HONORABLE STEVEN
P. ELLIOTT, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 48983

FILED

APR 23 2007

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


ORDER DENYING PETITION

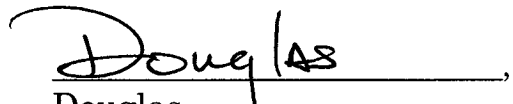
This is a proper person petition for a writ of certiorari in which petitioner challenges the validity of his judgment of conviction and sentence. "A writ of certiorari is an extraordinary remedy and the decision to entertain a petition for a writ of certiorari lies within the discretion of this court."¹ We have considered the petition on file herein, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted. A challenge to the judgment of conviction must be raised in a

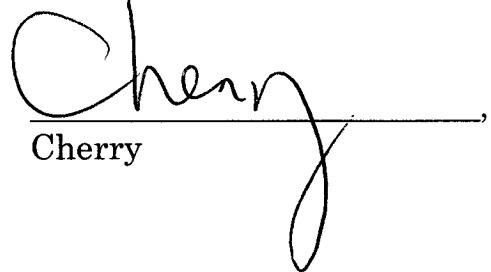
¹Zamarripa v. District Court, 103 Nev. 638, 640, 747 P.2d 1386, 1387 (1987).

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

cc: Hon. Steven P. Elliott, District Judge
Victoriano Garcia-Lopez
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

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.

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