

IN THE SUPREME COURT OF THE STATE OF NEVADA

PERCY LAVAE BACON,  
Petitioner,

vs.

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

No. 50403

**FILED**

DEC 03 2007

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

ORDER DENYING PETITION

This is a proper person petition for a writ of mandamus, or alternatively, a writ of prohibition. Petitioner alleges that various constitutional rights have been violated because he was in shackles and wearing jail-house attire in front of the grand jury. Petitioner seeks to have his judgment of conviction vacated, his indictment dismissed, and to be immediately released from custody. We have considered the documents submitted in this matter, and we conclude that this court's intervention in this matter is not warranted.<sup>1</sup> A challenge to the validity of the judgment of conviction should be raised in a post-conviction petition for a writ of

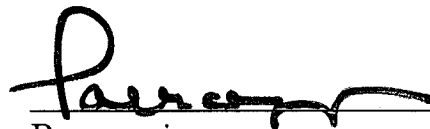
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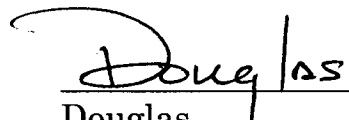
<sup>1</sup>See NRS 34.160; NRS 34.170; NRS 34.320; NRS 34.330.

habeas corpus filed in the district court in the first instance.<sup>2</sup> Accordingly,  
we

ORDER the petition DENIED.

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

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Douglas

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

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<sup>2</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.