

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN MICHAEL ALLINGER,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE, THE HONORABLE JEROME
M. POLAHA, DISTRICT JUDGE,

Respondents,

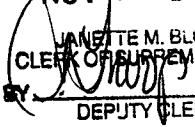
and

WASHOE COUNTY DISTRICT
ATTORNEY, RICHARD A. GAMMICK,
Real Party in Interest.

No. 50405

FILED

NOV 13 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

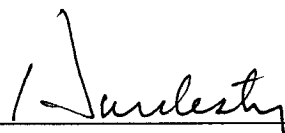
ORDER DENYING PETITION

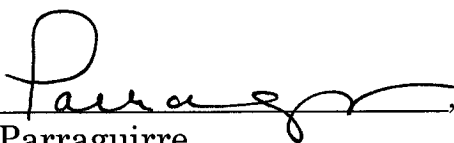
This is a proper person petition for a writ of mandamus, or alternatively, a writ of habeas corpus. Petitioner seeks a reduction in his sentence due to a change in the co-defendant's sentence. We have considered the documents before this court, and we conclude that

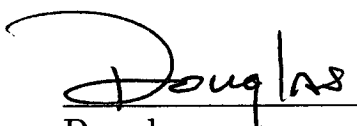
07-24620

extraordinary relief is not warranted in this matter.¹ Accordingly, we

ORDER the petition DENIED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas

cc: Hon. Jerome Polaha, District Judge
John Michael Allinger
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

¹See NRS 34.160; NRS 34.170. A post-conviction petition for a writ of habeas corpus challenging the validity of a judgment of conviction and sentence should be filed in the district court in the first instance. See NRS 34.738(1). We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34.