

IN THE SUPREME COURT OF THE STATE OF NEVADA


FRANCISCO TULIO PATINO-
MARTINEZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 50742

FILED

JAN 15 2008

ORDER DENYING PETITION

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

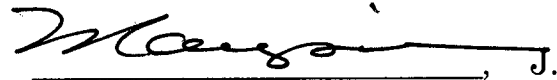
This is a proper person petition for a writ of mandamus. Petitioner seeks an order compelling the proper governmental agency to conduct a thorough examination into criminal activities relating to his plea agreement. Petitioner asserts that the signature on his guilty plea agreement was forged and that he was “beat, stomped, hurt[,] maimed, bullied, accosted, conned, bamboozled, lied to, led astray, and utterly violated by counsel.” Petitioner attaches a number of affidavits from inmates at the Lovelock Correctional Center who allegedly witnessed trial counsel assaulting his client. We have considered the documents submitted in this matter, and we conclude that this court’s intervention in this matter is not warranted.¹ A challenge to the validity of the judgment of conviction may be raised in a post-conviction petition for a writ of

¹See NRS 34.160; NRS 34.170.

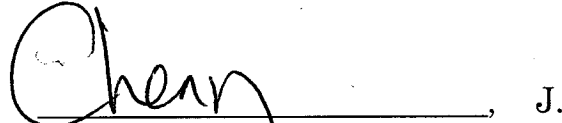
08-01044

habeas corpus filed in the district court in the first instance.² Accordingly,
we

ORDER the petition DENIED.

 J.

Maupin

 J.

Cherry

 J.

Saitta

cc: Hon. Brent T. Adams, District Judge
Francisco Tulio Patino-Martinez
Michael Roth, Esq.
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

²See NRS 34.724; NRS 34.738(1). We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34. Petitioner's allegations regarding trial counsel and the validity of his guilty plea must be litigated in a post-conviction petition for a writ of habeas corpus.