

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID RODRIGUES,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 50935

FILED

FEB 21 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION

This is a proper person petition for extraordinary relief entitled "motion for post[-]conviction remed[y] under writ of [habeas] corpus." Petitioner challenges the validity of his judgment of conviction and sentence. We have reviewed the documents before this court, and we conclude that extraordinary relief is not warranted. A challenge to the validity of the judgment of conviction and sentence should be raised in a post-conviction petition for a writ of habeas corpus filed in the district court in the first instance.¹ Accordingly, we

ORDER the petition DENIED.

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

Douglas, J.
Douglas

¹See 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.

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