

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL THOMAS DAVITT,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 51185

FILED

APR 09 2008

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

ORDER DENYING PETITION

This is a proper person petition for a writ of habeas corpus. It appears that petitioner challenges the validity of his judgment of conviction and sentence. We have considered the documents submitted in this matter, and we conclude that no relief is warranted at this time. 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.

Maupin J.

Maupin

Cherry J.

Cherry

Saitta J.

Saitta

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. Donald M. Mosley, District Judge
Michael Thomas Davitt
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk