

IN THE SUPREME COURT OF THE STATE OF NEVADA

DEREK A. COSTANTINO,
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,

and

THE NEVADA STATE BOARD OF
PARDONS COMMISSIONS; NEVADA
STATE BOARD OF PAROLE
COMMISSIONERS AND THE STATE
OF NEVADA,

Real Parties in Interest.

No. 51506

FILED

MAY 22 2008
TRACEE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK


ORDER DENYING PETITION

This is a proper person petition for a writ of mandamus, or alternatively, a writ of certiorari. Petitioner challenges the deadly weapon enhancement imposed. We have considered the documents submitted in this matter, and we conclude that extraordinary relief is not warranted.¹ A challenge to the validity of the judgment of conviction and sentence

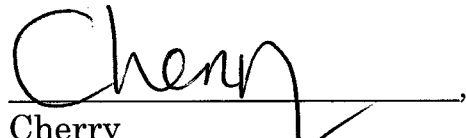
¹See NRS 34.020; NRS 34.160; NRS 34.170.

should be raised in a post-conviction petition for a writ of habeas corpus filed in the district court in the first instance.² Accordingly, we


ORDER the petition DENIED.



Maupin J.



Cherry J.



Saitta J.

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

²See NRS 34.724(2)(b); NRS 34.738(1). We express no opinion as to whether petitioner can satisfy the procedural requirements of NRS chapter 34.