

IN THE SUPREME COURT OF THE STATE OF NEVADA

BYRON ELROY CRUTCHER,
Petitioner,

vs.

THE STATE OF NEVADA, AND
WARDEN, SOUTHERN DESERT
CORRECTIONAL CENTER, BRIAN
WILLIAMS,
Respondents.

No. 51930

FILED

JUL 16 2008

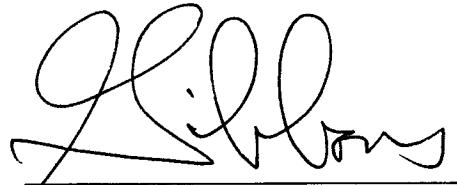
TRAVIS J. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

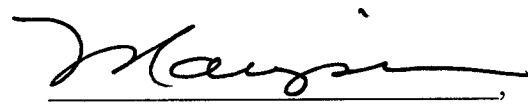
ORDER DENYING PETITION

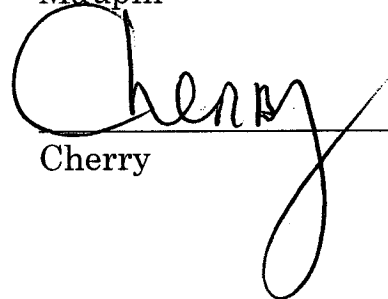
This is a proper person petition for a writ of habeas corpus in which petitioner challenges the validity of his judgment of conviction and sentence. We have considered the proper person documents submitted in this matter, and we conclude that extraordinary relief is not warranted. A challenge to the 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.


_____, C.J.
Gibbons


_____, J.
Maupin


_____, J.
Cherry

cc: Byron Elroy Crutcher
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk

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.