

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL LEONETTI,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, THE HONORABLE JACKIE
GLASS, DISTRICT JUDGE, AND THE
HONORABLE KATHY A.
HARDCASTLE, DISTRICT JUDGE,
Respondents,
and
KAY HOLTHUS AND DAVID ROGER,
Real Parties in Interest.

No. 52131

FILED

SEP 25 2008

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

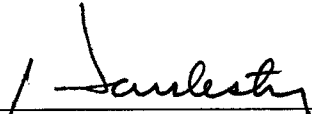
ORDER DENYING PETITION

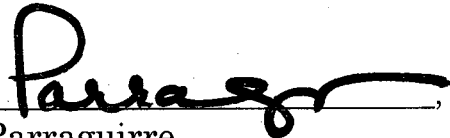
This is a proper person petition for a writ of mandamus. Petitioner appears to challenge the validity of his judgment of conviction and seeks an order directing Judge Glass to recuse herself. Petitioner further claims that Judge Glass and the State have committed malfeasance. We have considered the documents submitted in this matter, and we conclude that no relief is warranted.¹ A challenge to the validity of the judgment of conviction and sentence should be raised in a

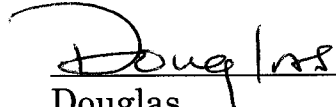
¹See NRS 34.160; NRS 34.170.

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.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas

cc: Hon. Jackie Glass, District Judge
Michael Leonetti
Attorney General Catherine Cortez Masto/Las Vegas
Clark County District Attorney David J. Roger
Eighth 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. We note that contrary to petitioner's assertions, this court has reviewed the district court's final order relating to prior post-conviction petitions for writs of habeas corpus and motions to withdraw guilty plea, and this court affirmed the prior order of the district court. Leonetti v. State, Docket No. 47485 (Order of Affirmance, August 7, 2007).