

IN THE SUPREME COURT OF THE STATE OF NEVADA

SEAN W. ARMSTRONG,  
Petitioner,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 52727

**FILED**

NOV 21 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 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.<sup>1</sup> 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.<sup>2</sup> Accordingly, we

ORDER the petition DENIED.

*Hardesty*, J.  
Hardesty

*Parraguirre*, J.  
Parraguirre

*Douglas*, J.  
Douglas

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<sup>1</sup>NRS 34.160; NRS 34.170.

<sup>2</sup>See 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: Sean W. Armstrong  
Attorney General Catherine Cortez Masto/Carson City  
Humboldt County District Attorney  
Humboldt County Clerk