

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANGEL JAVIER DIAZ,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF

CLARK,

Respondent,

and

THE STATE OF NEVADA,

Real Party in Interest.

No. 53421

FILED

MAR 30 2009

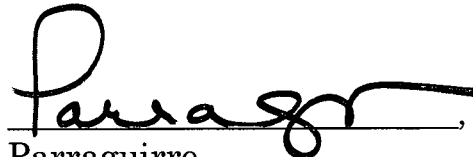
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

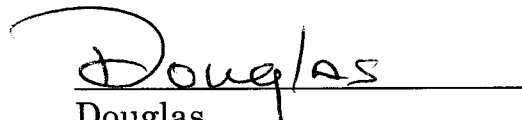
ORDER DENYING PETITION

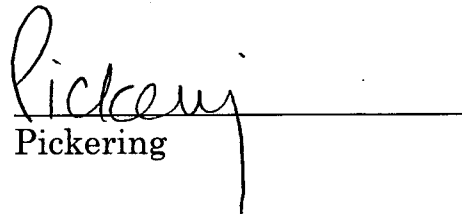
This is a proper person petition for a writ of mandamus. Petitioner challenges the validity of his judgment of conviction. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims, we decline to exercise our original jurisdiction in this matter. NRS 34.160; NRS 34.170; NRS 34.320; NRS 34.330. A challenge to the validity of the judgment of conviction and sentence must be filed in a post-conviction petition for a writ of habeas

corpus filed in the district court in the first instance.¹ NRS 34.724(2)(b);
NRS 34.738(1). Accordingly, we

ORDER the petition DENIED.


Parraguirre J.


Douglas J.


Pickering J.

cc: Angel Javier Diaz
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk

¹We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34.