

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARK EDWARD BOEKHOFF,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE, AND THE HONORABLE
STEVEN P. ELLIOTT, DISTRICT
JUDGE,

Respondents,

and

WASHOE COUNTY DISTRICT
ATTORNEYS OFFICE, AND THE
JUSTICE COURT OF RENO
TOWNSHIP, IN AND FOR THE
COUNTY OF WASHOE,
Real Parties in Interest.

No. 53556

FILED

APR 21 2009

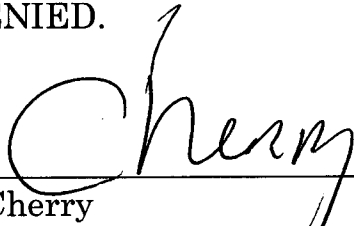
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK


ORDER DENYING PETITION

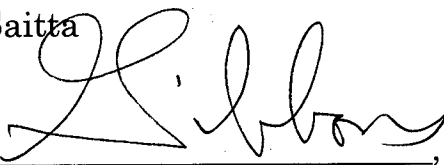
This is a proper person petition for a writ of certiorari. Petitioner challenges the validity of his judgment of conviction. "A writ of certiorari is an extraordinary remedy and the decision to entertain a petition for a writ of certiorari lies within the discretion of this court." Zamarripa v. District Court, 103 Nev. 638, 640, 747 P.2d 1386, 1387 (1987). We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims, we decline to exercise original jurisdiction in this matter. A challenge to the validity of the judgment of conviction must be raised in a post-conviction petition for a

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

ORDER the petition DENIED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Steven P. Elliott, District Judge
Mark Edward Boekhoff
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

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