

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM JAMES IRWIN, JR.,  
Petitioner,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 53666

**FILED**

**MAY 14 2009**

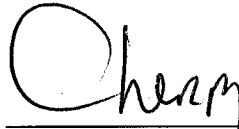
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK


ORDER DENYING PETITION

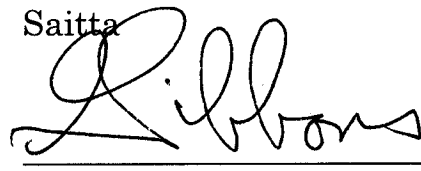
On April 24, 2009, William James Irwin, Jr., filed a proper person document labeled "motion to modify, suspend, vacate, or correct illegal sentence" in this court. We elect to treat the proper person document as an original petition for extraordinary relief. The Attorney General filed a motion to dismiss the document as such a motion may not be filed in this court in the first instance. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims raised in the proper person documents, we decline to exercise original jurisdiction in this matter. The document submitted by petitioner should be filed in the district court in the first instance, and we

express no opinion as to whether petitioner can satisfy the procedural requirements for such a motion. Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Steve L. Dobrescu, District Judge  
William James Irwin Jr.  
Attorney General Catherine Cortez Masto/Carson City  
Attorney General Catherine Cortez Masto/Ely  
White Pine County District Attorney  
White Pine County Clerk