

IN THE SUPREME COURT OF THE STATE OF NEVADA


RONALD LEE HEIMAN,  
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
WASHOE, AND THE HONORABLE  
JANET J. BERRY, DISTRICT JUDGE,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 53736

**FILED**

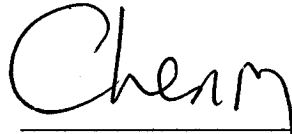
JUN 04 2009  
TRACE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

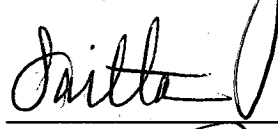
ORDER DENYING PETITION


This is a proper person "First Amendment Petition" for a writ of mandamus, or alternatively, a writ of prohibition. Petitioner challenges the validity of the judgment of conviction and sentence. 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. NRS 34.160; NRS 34.170; NRS 34.320; NRS 34.330. In addition, we note that petitioner does not allege any unconstitutional prior restraint of his First Amendment rights, indicating that the provisions of NRS 34.185 are not applicable. 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.<sup>1</sup> NRS 34.724(2)(b); NRS 34.738(1). Accordingly, we

ORDER the petition DENIED.

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

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

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

cc: Hon. Janet J. Berry, District Judge  
Ronald Lee Heiman  
Attorney General Catherine Cortez Masto/Carson City  
Washoe County District Attorney Richard A. Gammick  
Washoe District Court Clerk

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