

IN THE SUPREME COURT OF THE STATE OF NEVADA

RANDY ROYAL JOHNSON,
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

THE STATE OF NEVADA,
Real Party in Interest.

No. 54049

FILED

AUG 24 2009

TRACIE J. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

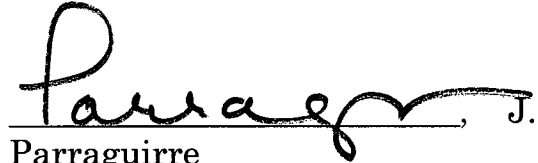
ORDER DENYING PETITION

This is a proper person petition for extraordinary relief. 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 34.170; NRS 34.330; NRS 34.724(2)(b); NRS 34.738(1). To the extent petitioner challenges the validity of his judgment of conviction and sentence, such a challenge 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). To the extent petitioner challenges the district court's resolution of his post-conviction petition for a writ of habeas corpus, petitioner received the opportunity to

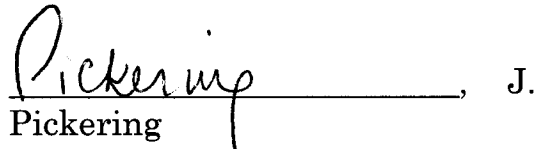
¹We express no opinion as to whether petitioner could meet the procedural requirements of NRS chapter 34.

raise those claims in his appeal from the denial of that petition, and failed to do so. Accordingly, we

ORDER the petition DENIED.


Parraguirre


Douglas


Pickering

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