

IN THE SUPREME COURT OF THE STATE OF NEVADA

PERCY LAVAE BACON,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54390

FILED

SEP 11 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT

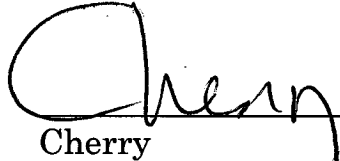
BY S. Young
DEPUTY CLERK


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. NRS 34.020. A challenge to the validity of the judgment of conviction must be raised 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.

_____, J.
Cherry

_____, J.
Saitta

_____, J.
Gibbons

cc: Percy Lavae Bacon
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 meet the procedural requirements of NRS chapter 34.