

IN THE SUPREME COURT OF THE STATE OF NEVADA

TERRANCE L. OLIVER,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
DAVID BARKER, DISTRICT JUDGE,
Respondents,

and

WARDEN, NEVADA STATE PRISON,
GREG SMITH,
Real Party in Interest.

No. 54516

FILED

OCT 21 2009

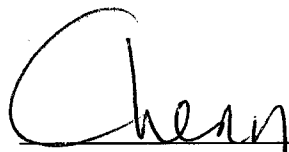
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK


ORDER DENYING PETITION

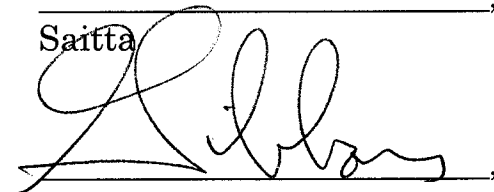
This is a proper person petition for extraordinary relief labeled “First Amendment Petition Writ of Certiorari NRS Chapter 34 et seq (and) Judicial Notice of Error.” Petitioner challenges the validity of the judgment of conviction and sentence. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims, we decline to exercise original jurisdiction in this matter. 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. David B. Barker, District Judge
Terrance L. Oliver
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.