

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTON PAUL ORTH,  
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
WASHOE, AND THE HONORABLE  
CONNIE J. STEINHEIMER, DISTRICT  
JUDGE,

Respondents,

and

THE STATE OF NEVADA,  
Real Party in Interest.

No. 54984

**FILED**

**JAN 08 2010**

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

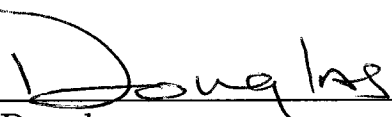
ORDER DENYING PETITION

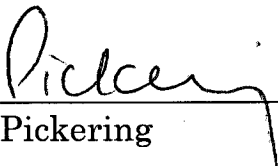
This is a proper person petition for a writ of mandamus. Petitioner seeks an order compelling the district court to reverse an order denying a motion to withdraw a guilty plea. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims raised therein, we decline to exercise original jurisdiction in this matter. See NRS 34.160; NRS 34.170. 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.<sup>1</sup>  
NRS 34.724(2)(b); NRS 34.738(1). Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Pickering

cc: Hon. Connie J. Steinheimer, District Judge  
Anton Paul Orth  
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.