

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRANDON D. SMITH,  
Petitioner.

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, AND THE HONORABLE  
ELISSA F. CADISH, DISTRICT JUDGE,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 55348

**FILED**

**MAR 10 2010**


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

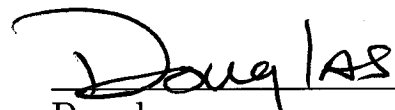
ORDER DENYING PETITION

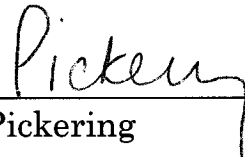
This is an original proper person petition for a writ of mandamus. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims, we decline to exercise original jurisdiction in this matter. NRS 34.160; NRS 34.170. To the extent appellant challenges the validity of his judgment of conviction and sentence, his claims must be raised in a post-conviction petition for a writ of habeas corpus filed in the district court in the county in which the conviction occurred. NRS 34.738(1). To the extent appellant challenges the computation of time served, his claims must be raised in a post-

conviction petition for a writ of habeas corpus filed in the district court in the county in which he is incarcerated. Id.<sup>1</sup> Accordingly, we

ORDER the petition DENIED.

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

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

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

cc: Hon. Elissa F. Cadish, District Judge  
Brandon D. Smith  
Attorney General/Carson City  
Clark County District Attorney  
Eighth 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.