

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRUCE H. BIRCH,  
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
WASHOE, AND THE HONORABLE  
PATRICK FLANAGAN, DISTRICT  
JUDGE,

Respondents,

and

THE STATE OF NEVADA,  
Real Party in Interest.

No. 56454

**FILED**

SEP 10 2010

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

BRUCE H. BIRCH,  
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT  
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IN AND FOR THE COUNTY OF  
WASHOE, AND THE HONORABLE  
PATRICK FLANAGAN, DISTRICT  
JUDGE,

Respondents,

and

THE STATE OF NEVADA,  
Real Party in Interest.

No. 56538 ✓

ORDER DENYING PETITIONS

These are proper person petitions 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 petitioner challenges the validity of his judgment of conviction and sentence, these claims 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). To the extent petitioner requests this court compel the district court to rule on certain motions and/or return certain documents, we are confident that the district court will resolve all pending matters as expeditiously as its calendar permits. NRS 34.160; NRS 34.170. Accordingly, we

ORDER the petitions DENIED.

Hardesty, J.  
Hardesty

Douglas, J.  
Douglas

Pickering, J.  
Pickering

cc: Hon. Patrick Flanagan, District Judge  
Bruce H. Birch  
Attorney General/Carson City  
Washoe County District Attorney  
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.