

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT MCGUIRE,  
Petitioner,  
vs.  
THE SEVENTH JUDICIAL DISTRICT  
OF THE STATE OF NEVADA, IN AND  
FOR THE COUNTY OF WHITE PINE;  
AND THE HONORABLE DAN L.  
PAPEZ,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 56794

**FILED**


SEP 29 2010

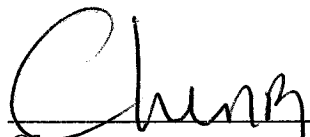
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

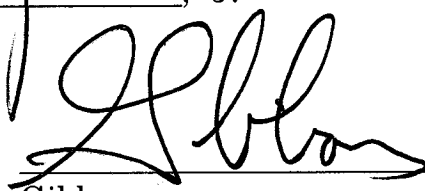
ORDER DENYING PETITION

This is a proper person petition for a writ of prohibition. Petitioner challenges the judgment of conviction. 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 34.320; NRS 34.330. 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.  
Saitta

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Gibbons

<sup>1</sup>We express no opinion as to whether petitioner could meet the procedural requirements of NRS chapter 34.

cc: Hon. Dan L. Papez, District Judge  
White Pine Co. Clerk  
Robert McGuire  
Attorney General/Carson City  
White Pine County District Attorney