

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER SOUND O'NEILL,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 57139

FILED

JUN 08 2011

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

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying a "petition for writ of mandamus or in the alternative show cause."¹ Second Judicial District Court, Washoe County; Steven P. Elliott, Judge.


In his petition filed on September 24, 2010, appellant claimed that the jury verdict form did not contain the proper statutory language for a charge of possession of a forged instrument and therefore, his convictions are invalid. This was a challenge to the judgment of conviction, which must be raised in a post-conviction petition for a writ of habeas corpus. NRS 34.724(2)(b).² Appellant had an adequate remedy at law, therefore, he failed to demonstrate that a writ of mandamus should


¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

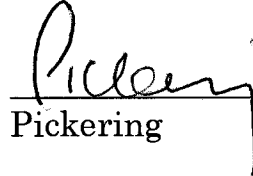
²We express no opinion as to whether petitioner could meet the procedural requirements of NRS chapter 34.

issue. See NRS 34.170. Therefore, the district court did not err in denying the petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.³


_____, J.
Cherry


_____, J.
Gibbons


_____, J.
Pickering

cc: Hon. Steven P. Elliott, District Judge
Christopher Sound O'Neill
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

³We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.