

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANDRE DUPREE BOSTON,
Petitioner,
vs.
ANTHONY SCILLIA, WARDEN,
Respondent.

No. 57230

FILED

DEC 09 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 habeas corpus. Petitioner challenges the validity of his judgment of conviction and prior habeas corpus proceedings. 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. 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.¹ NRS 34.724(2)(b); NRS 34.738(1). Accordingly, we

ORDER the petition DENIED.

Cherry, J.
Cherry -

Scilla, J.
Saitta

Gibbons, J.
Gibbons

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

cc: Andre Dupree Boston
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk