

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEVIN SCOTT DAVIS,  
Petitioner,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 57760

**FILED**

**FEB 24 2011**

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 mandamus/prohibition. Petitioner challenges his judgment of conviction and asserts he received ineffective assistance of counsel. 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 34.170; 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.

Cherry, J.  
Cherry

Gibbons, J.  
Gibbons

Pickering, J.  
Pickering

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

cc: Kevin Scott Davis  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk