

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDUARDO CAMACHO,
Petitioner,
vs.
E.K. MCDANIEL; AND THE STATE OF
NEVADA,
Respondents.

No. 59127

FILED

OCT 05 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *H. Ingersoll*
DEPUTY CLERK


ORDER DENYING PETITION


This is an original proper person petition for a writ of habeas corpus in which petitioner challenges the validity of his judgment of conviction. We have reviewed the documents before this court, and without the deciding upon the merits of any of the claims raised in the petition, we decline to exercise this court's original jurisdiction over this matter. See Hosier v. State, 121 Nev. 409, 411, 117 P.3d 212, 213 (2005) (rejecting an argument that the Nevada Constitution requires this court to consider an original petition for a writ of habeas corpus on the merits). A challenge to the validity of a 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.²


_____, J.
Pickering


_____, Sr. J.
Rose


_____, Sr. J.
Shearing

cc: Eduardo Camacho
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

¹We express no opinion as to whether petitioner may satisfy the procedural requirements of NRS chapter 34 at this time.

²The Honorables Robert Rose and Miriam Shearing, Senior Justices, participated in the decision of this matter under general orders of assignment.