

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEVIN RAY HOLMES,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 59713

FILED

DEC 20 2011

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

ORDER DISMISSING APPEAL

This appeal was initiated by the filing of a proper person notice of appeal. Eighth Judicial District Court, Clark County; Michael Villani, Judge.

Appellant failed to designate an appealable order. NRAP 3(c)(1)(B). Because appellant failed to designate an appealable order, we ORDER this appeal DISMISSED.<sup>1</sup>

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

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

*Pickering*  
\_\_\_\_\_, J.  
Pickering

<sup>1</sup>It appears that appellant is attempting to challenge the validity of his judgment of conviction and sentence. Such a challenge should be raised in a post-conviction petition for a writ of habeas corpus filed in the district court in the first instance. NRS 34.724(2)(b); NRS 34.738(1). We express no opinion as to whether appellant can satisfy the procedural requirements of NRS chapter 34.

cc: Hon. Michael Villani, District Judge  
Kevin Ray Holmes  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk