

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN SAMUEL BRAUNSTEIN,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
KATHY A. HARDCASTLE,
Respondents.

No. 65059

FILED

MAY 13 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

*ORDER DENYING PETITION AND REFERRING
PETITIONER FOR FORFEITURE OF CREDITS
PURSUANT TO NRS 209.451*

This is a proper person petition for an injunction against judgment or arrest of judgment. Petitioner challenges his judgment of conviction. Without deciding upon the merits of any claims raised in the documents submitted in this matter, we decline to exercise our original jurisdiction. 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).

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

Petitioner has raised the same underlying issues in numerous other filings in this court.² We previously cautioned petitioner that repeatedly raising the same issue constitutes frivolous action and that he could forfeit all deductions of time he has earned if he files frivolous documents in a civil action.³ See NRS 209.451. A petition for an injunction against judgment is a civil action. We have already informed petitioner that his continuous stream of filings is an abuse of judicial resources,⁴ and we conclude that the inclusion of the repetitive and unwarranted claims in the instant petition constitutes an improper


²*Braunstein v. Eighth Judicial Dist. Court*, Docket No. 64136 (Order Denying Petition and Referring Petitioner for Forfeiture of Credits Pursuant to NRS 209.451, November 14, 2013); *Braunstein v. Eighth Judicial Dist. Court*, Docket Nos. 63270 & 63411 (Order Denying Petitions, July 24, 2013); *Braunstein v. Eighth Judicial Dist. Court*, Docket No. 62546 (Order Denying Petition, March 8, 2013); *Braunstein v. Eighth Judicial Dist. Court*, Docket No. 57751 (Order Denying Petition, April 4, 2011); *Braunstein v. Eighth Judicial Dist. Court*, Docket No. 54122 (Order Denying Petition, August 24, 2009); *Braunstein v. Eighth Judicial Dist. Court*, Docket No. 53127 (Order Denying Petition, February 4, 2009).


³*Braunstein v. Eighth Judicial Dist. Court*, Docket Nos. 63270 & 63411 (Order Denying Petitions, July 24, 2013); see also *Braunstein v. Eighth Judicial Dist. Court*, Docket No. 64136 (Order Denying Petition and Referring Petitioner for Forfeiture of Credits Pursuant to NRS 209.451, November 14, 2013).

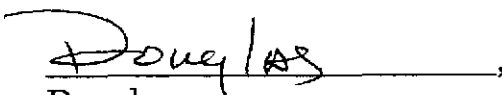
⁴*Braunstein v. Eighth Judicial Dist. Court*, Docket No. 64136 (Order Denying Petition and Referring Petitioner for Forfeiture of Credits Pursuant to NRS 209.451, November 14, 2013).

purpose. Therefore, we refer this matter to the Director of the Department of Corrections to determine what forfeiture, if any, is warranted. See NRS 209.451(3). Accordingly, we

ORDER the petition DENIED and REFER this matter to the Director of the Department of Corrections.


_____, C.J.
Gibbons


_____, J.
Hardesty


_____, J.
Douglas

cc: Chief Judge, Eighth Judicial District Court
Hon. Kathy A. Hardcastle, Senior Judge
Steven Samuel Braunstein
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk
Director, Department of Corrections