

IN THE SUPREME COURT OF THE STATE OF NEVADA

HOWARD L. ELLIS,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
DOUGLAS SMITH, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 67268

FILED

FEB 11 2015

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

ORDER DENYING PETITION

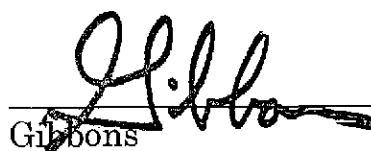
This is a petition for a writ of mandamus. Petitioner seeks an order directing the district court to decide a petition for a writ of mandamus filed in the district court and to enforce the terms of the plea agreement. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims raised therein, we decline to exercise original jurisdiction in this matter. See NRS 34.160; NRS 34.170. 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

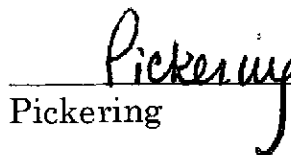
ORDER the petition DENIED.



_____, J.
Saitta



_____, J.
Gibbons



_____, J.
Pickering

cc: Hon. Douglas Smith, District Judge
Howard L. Ellis
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

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