

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOHN HAROLD MCCULLOUGH,
Petitioner,
vs.
THE ELEVENTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
PERSHING; AND THE HONORABLE
JIM C. SHIRLEY, DISTRICT JUDGE,
Respondents,
and
ISIDRO BACA, WARDEN; AND R.
BRYCE SHIELDS,
Real Parties in Interest.

No. 73068

FILED

JUL 12 2017


ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

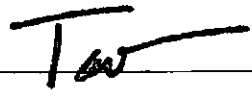
ORDER DENYING PETITION

This is an original postconviction petition for a writ of habeas corpus which challenges petitioner's judgment of conviction. 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 NRAP 21(b); *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) ("Petitioner[] carr[ies] the burden of demonstrating that extraordinary relief is warranted."). A challenge to the validity of the judgment of conviction must be raised in a postconviction 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.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Jim C. Shirley, District Judge
John Harold McCullough
Attorney General/Carson City
Pershing County District Attorney
Pershing County Clerk

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