

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

IRVIN EUGENE MCQUEEN,
Petitioner,

vs.

THE FIFTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
ESMERALDA; AND THE HONORABLE
KIMBERLY A. WANKER, DISTRICT
JUDGE,
Respondents.

No. 76201

FILED

JUL 31 2018

ELIZABETH A. BROWN,
CLERK OF SUPREME COURT
BY  DEPUTY CLERK


ORDER DENYING PETITION

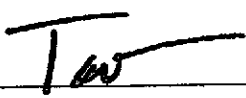
This original petition for a writ of mandamus and/or prohibition challenges the restitution imposed and the presentence credit granted in Irvin Eugene McQueen's judgment of conviction. We conclude our intervention by way of extraordinary writ is not warranted. See NRS 34.160; NRS 34.170; NRS 34.320; NRS 34.330. Claims challenging the restitution imposed and presentence credit are challenges to the validity of the judgment of conviction that must be raised on direct appeal or in a postconviction petition for a writ of habeas corpus filed in the district court in compliance with the provisions of NRS chapter 34.¹ See *Griffin v. State*,

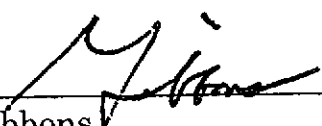
¹We express no opinion as to whether petitioner could meet the procedural requirements for filing a direct appeal, see NRAP 4(b), or for filing a postconviction petition, see NRS chapter 34.

122 Nev. 737, 744, 137 P.3d 1165, 1169 (2006). Therefore, without reaching the merit of the claims raised, we

ORDER the petition DENIED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Kimberly A. Wanker, District Judge
Irvin Eugene McQueen
Attorney General/Carson City
Nye County Clerk