

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

GARY SHEPARD,
Petitioner,

vs.

JERRY HOWELL, WARDEN SDCC,
NDOC,
Respondent.

No. 77028-COA

FILED

JAN 17 2019

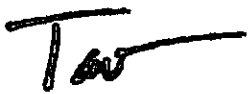
ELIZABETH L. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION

In this original postconviction petition for a writ of habeas corpus, Gary Shepard challenges his judgment of conviction and alleges he received ineffective assistance of counsel. A claim of ineffective assistance of counsel should be raised in a postconviction petition for a writ of habeas corpus filed in the district court in the first instance.¹ See NRS 34.724; NRS 34.738(1). Therefore, without deciding the merit of the claim raised, we

ORDER the petition DENIED.


_____, A.C.J.
Douglas


_____, J.
Tao


_____, J.
Gibbons

cc: Gary Shepard
Attorney General/Carson City

¹We express no opinion regarding whether Shepard could meet the procedural requirements for filing such a petition. See NRS 34.726(1); NRS 34.800; NRS 34.810.