

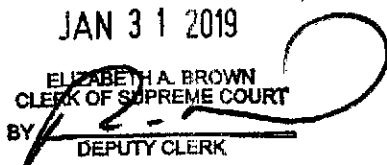
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

EDWARD EARL WALKER, JR.,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,
Respondent,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 77006-COA

FILED

JAN 31 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK


ORDER DENYING PETITION

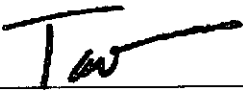
In this original petition for a writ of certiorari, Edward Earl Walker, Jr., challenges his judgment of conviction, alleging the complaint filed in his case did not charge him with murder with the use of a deadly weapon, assault with the use of a deadly weapon, or burglary while in possession of a deadly weapon. He therefore asserts the justice court exceeded its jurisdiction and the district court should not have been able to proceed with his case and impose sentence.

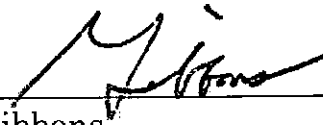
We decline to exercise our discretion to entertain the petition. *See Zamarripa v. First Judicial Dist. Court*, 103 Nev. 638, 640, 747 P.2d 1386, 1387 (1987) (recognizing that the issuance of a writ of certiorari is discretionary). Walker has a plain, speedy, and adequate remedy at law that precludes writ relief—he can raise a challenge to his judgment of conviction in a postconviction petition for a writ of habeas corpus that is

filed in the district court in the first instance.¹ See NRS 34.020(2); NRS 34.724(1), (2)(b); NRS 34.738(1). Accordingly, we

ORDER the petition DENIED.


_____, A.C.J.
Douglas


_____, J.
Tao


_____, J.
Gibbons

cc: Edward Earl Walker, Jr.
Attorney General/Carson City
Eighth District Court Clerk

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