

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

SALVADOR MIRANDA-CRUZ,
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. 78290-COA

FILED

MAR 26 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK


ORDER DENYING PETITION


In this original petition for a writ of habeas corpus, Salvador Miranda-Cruz challenges the validity of his judgment of conviction, alleging his guilty plea was coerced and he received ineffective assistance of counsel. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims raised, we decline to exercise our original jurisdiction. *See* NRAP 22; *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.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Salvador Miranda-Cruz
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

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