

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JAMES HOWARD HAYES, JR.,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 73436

FILED

OCT 12 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION

This is an original petition for a writ of habeas corpus. Petitioner asserts he is being unlawfully restrained because insufficient evidence was presented at the preliminary hearing to support a charge for burglary. We conclude petitioner has failed to demonstrate our intervention by extraordinary writ is warranted. See NRAP 22 ("An application for an original writ of habeas corpus should be made to the appropriate district court" in the first instance.). Accordingly, without deciding upon the merit of any claims raised therein, we

ORDER the petition DENIED.



_____, C.J.
Silver



_____, J.
Tao



_____, J.
Gibbons

cc: Hon. William D. Kephart, District Judge
James Howard Hayes, Jr.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk