

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DUSTON MILLER,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 72484

FILED

APR 18 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 Duston Miller asserts he is being unlawfully restrained. Miller claims "competent, sufficient, legal evidence was not presented at the grand jury proceeding in this matter to constitute probable cause for remanding [him] to the district court for trial." He further asserts his counsel is ineffective. Miller informs this court that "no other petition for writ of habeas corpus has heretofore been filed on behalf of [him]." We conclude our intervention by extraordinary writ is not warranted, *see* NRAP 22 (An application for a petition for a writ of habeas corpus should be filed in the appropriate district court in the first instance.), and we

ORDER the petition DENIED.

Silver, C.J.
Silver

Tao, J.
Tao

Gibbons, J.
Gibbons

cc: Duston Miller
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk