

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ROBERT JAMES WALSH,  
Petitioner,  
vs.  
THE FIFTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF NYE,  
Respondent,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 79499-COA

**FILED**

SEP 30 2019

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

*ORDER DENYING PETITION*


In this original petition for a writ of mandamus, Robert James Walsh seeks an order directing the district court to vacate his conviction for trafficking in a Schedule I controlled substance. Walsh asserts that his conviction is invalid because methamphetamine is a Schedule II controlled substance, not a Schedule I controlled substance.

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 NRS 34.160; NRS 34.170; NRAP 21(b)(1); *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.”). Walsh’s claim challenges the validity of his conviction, and 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 for the county in which the conviction occurred.<sup>1</sup> NRS 34.724(2)(b); NRS 34.738(1). Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Robert James Walsh  
Attorney General/Carson City  
Nye County District Attorney  
Nye County Clerk

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<sup>1</sup>We express no opinion as to whether Walsh could meet the procedural requirements of NRS Chapter 34.