

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD CARY IDEN,
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. 80620

FILED

MAR 05 2020

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

ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS

In this original pro se petition for a writ of habeas corpus, petitioner appears to seek release from detention based on his assertion that his sentence was vacated by the Ninth Circuit Court of Appeals.

Problematically, petitioner has not provided this court with exhibits or other documentation that would support his claims for relief. See NRAP 21(a)(4) (providing the petitioner shall submit an appendix containing all documents “essential to understand the matters set forth in the petition”). Moreover, a challenge to a 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. See NRS 34.724; NRS 34.738; NRAP 22. Therefore, without deciding the merits of the claims raised

herein, we determine that our intervention is not warranted, *see* NRAP 21(b); *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.”). Accordingly, we

ORDER the petition DENIED.¹

Pickering, C.J.
Pickering

Hardesty, J.
Hardesty

Cadish, J.
Cadish

cc: Richard Cary Iden
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

¹Petitioner’s failure to provide timely proof of service of the petition constitutes an additional basis upon which to deny relief. NRAP 21(a)(1).