

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MITZI ROCHELLE HENDRIX,  
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. 80509-COA

**FILED**

MAR 20 2020

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

*ORDER DENYING PETITION*


In this original petition for a writ of mandamus, Mitzi Rochelle Hendrix seeks an order directing respondent to dismiss her burglary conviction and immediately release her. Hendrix asserts (1) the burglary statute is vague, (2) a conviction for burglary "is never for common law," (3) she could not have committed burglary because she had an absolute and unconditional right to enter the building, and (4) her convictions for burglary and forgery violate the Double Jeopardy Clause because they result in two punishments for the same set of acts.

We have reviewed the documents filed in this matter, and without deciding upon the merits of any claims raised therein, 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."). Hendrix' claims all challenge the validity of her burglary conviction. A challenge to the validity of the judgment of conviction must be raised either on direct appeal or in a

postconviction petition for a writ of habeas corpus filed in the district court in the first instance.<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: Mitzi Rochelle Hendrix  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>1</sup>We express no opinion as to whether Hendrix could meet the procedural requirements of NRAP 4(b)(1) or NRS chapter 34.