IN THE SUPREME COURT OF THE STATE OF NEVADA

FRANK LEWIS,
Petitioner,
vs.
CITY OF LAS VEGAS,
Respondent.

No. 86539

FILED

JUN 16 2023

ORDER DENYING PETITION

This is an original pro se petition for a writ of habeas corpus challenging the legality of petitioner's conviction and sentence.

Petitioner bears the burden of showing that extraordinary relief is warranted. See Pan v. Eighth Judicial Dist. Court, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). Petitioner has not provided this court with any exhibits or documents in support of his petition. See NRAP 21(a)(4) (providing that petitioner shall submit an appendix containing all documents "essential to understand[ing] the matters set forth in the petition"). Additionally, petitioner does not allege that he previously sought and was denied habeas relief in the district court. See NRAP 22 (stating that "[a]n application for an original writ of habeas corpus should be made to the appropriate district court" in the first instance); Round Hill Gen. Improvement Dist. v. Newman, 97 Nev. 601, 604, 637 P.2d 534, 536 (1981) (recognizing that "an appellate court is not an appropriate forum in which to resolve disputed questions of fact").

SUPREME COURT OF NEVADA

(O) 1947A

23-19201

We conclude that petitioner has failed to demonstrate our intervention by extraordinary writ is warranted. Further, to the extent that petitioner has counsel, he must proceed by and through counsel of record. Therefore, we decline to exercise our original jurisdiction in this matter. *See* NRAP 21(b). Accordingly, we

ORDER the petition DENIED.1

Stiglich, C.J.

Cadish J.

Herndon, J.

cc: Frank Lewis
Attorney General/Carson City
Las Vegas City Attorney
Eighth District Court Clerk

¹Petitioner has failed to provide proof of service upon respondent City of Las Vegas, thus constituting an additional reason to deny the petition.