

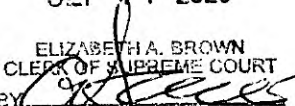
IN THE SUPREME COURT OF THE STATE OF NEVADA

TIMOTHY WAYNE CONNORS,  
Petitioner,  
vs.  
THE COURT OF APPEALS OF THE  
STATE OF NEVADA,  
Respondent.

No. 87070

FILED

SEP 11 2023

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER DENYING PETITION

This is an original pro se petition for extraordinary writ of error claiming that the court of appeals acted in excess of its jurisdiction when it ruled on petitioner's appeal and affirmed the denial of his habeas petition in Docket No. 85026-COA.

Citing to NRAP 17(a)(1), NRAP 17(b)(2)(A), and NRAP 17(b)(3), petitioner claims that because he was charged and tried as a death penalty case in 1994, it was wrong for the court of appeals to assume jurisdiction and rule on his habeas petition in Docket No. 85026-COA.<sup>1</sup> We disagree.

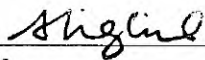
As an appeal from the denial of a postconviction petition for a writ of habeas corpus, petitioner's case was no longer a death penalty case such that NRAP 17(a)(1) applied. Because petitioner's appeal in Docket No. 85026-COA was a not a direct appeal from a judgment of conviction, NRAP 17(b)(2)(A) did not apply. NRAP 17(b)(3) applied to petitioner's appeal and provided this court with discretion to transfer the case to the court of appeals despite the category A felony conviction.

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<sup>1</sup>In the underlying capital case, petitioner was convicted in 1994, after a jury trial, of first-degree murder with the use of a deadly weapon (category A felony) and robbery with the use of a deadly weapon (category B felony) and sentenced to serve consecutive prison terms of life without the possibility of parole.

Having considered the petition, we are not convinced that our extraordinary and discretionary intervention is warranted. NRS 34.170; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing that such relief is warranted); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). Thus, as petitioner has failed to demonstrate that our intervention by extraordinary writ is warranted, we decline to exercise our original jurisdiction in this matter. See NRAP 21(b). Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, C.J.  
Stiglich

  
\_\_\_\_\_, J.  
Cadish

  
\_\_\_\_\_, J.  
Herndon

cc: Timothy Wayne Connors  
Attorney General/Carson City

Eighth District Court Clerk