

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHNNY EDWARD HAMILTON,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE, AND THE HONORABLE
STEVEN P. ELLIOTT, DISTRICT
JUDGE,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 40458

FILED

NOV 21 2002

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CLERK

ORDER DENYING PETITION

This is a proper person petition labeled, "petition for conformity of record." Petitioner claims that the sentencing transcript omits a purported discussion about petitioner's desire to appeal. Petitioner seeks correction of the transcript. We have considered the petition on file herein, and we are not satisfied that this court's intervention is warranted at this time.¹ Accordingly, we

ORDER the petition DENIED.

Young, C.J.

Young

Rose, J.

Rose

Agosti, J.

Agosti

¹To the extent that petitioner may be attempting to raise an appeal deprivation claim, a claim that a convicted criminal defendant was deprived of a direct appeal due to the ineffective assistance of counsel should be asserted in the district court in the first instance in a post-conviction petition for a writ of habeas corpus. We express no opinion as to whether appellant can satisfy the procedural requirements of NRS chapter 34.

cc: Hon. Steven P. Elliott, District Judge
Attorney General/Carson City
Washoe County District Attorney
Johnny Edward Hamilton
Washoe District Court Clerk