

IN THE SUPREME COURT OF THE STATE OF NEVADA

FELTON L. MATTHEWS, JR.,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
DONALD M. MOSLEY, DISTRICT
JUDGE,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 40468

FILED

NOV 22 2002

JENNIFER M. BROWN
CLERK OF SUPREME COURT
BY *J. Ruback*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION

This is a proper person petition for a writ of mandamus challenging the validity of the judgment of conviction and requesting that the sentence be vacated. We have considered the petition on file herein, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted.¹

Petitioner has repeatedly challenged the validity of his judgment of conviction and the proceedings in the district court in

¹See NRS 34.160; NRS 34.170.

extraordinary writs filed in this court.² We caution appellant that a prisoner may forfeit all deductions of time earned by the prisoner if the court finds that the prisoner has filed a document in a civil action and the document contains a claim or defense included for an improper purpose, the document contains a claim or defense not supported by existing law or a reasonable argument for a change in existing law, or the document contains allegations or information presented as fact for which evidentiary support is not available or is not likely to be discovered after further investigation.³ Further, the Nevada Code of Penal Discipline provides that the following is a major violation of the Code:

Any violation of the Rules of Court, contempt of court, submission of forged or otherwise false documents, submissions of false statements, violations of Rules of Civil Procedure, Criminal Procedure or Appellate Procedure and/or receiving sanctions and/or warnings for any such actions from any court. Although not necessary for disciplinary purposes, any Order from any court

²Matthews v. State, Docket No. 40299 (Order Denying Petition, October 15, 2002); Matthews v. State, Docket No. 40033 (Order Denying Petition, August 22, 2002); Matthews v. State, Docket No. 39885 (Order Denying Petition, July 30, 2002); Matthews v. State, Docket No. 39837 (Order Denying Petition, July 22, 2002); Matthews v. State, Docket No. 39014 (Order Denying Petition, January 22, 2002).


³See NRS 209.451(1)(d).

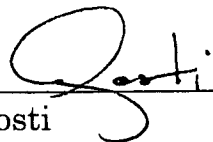
detailing such action shall be sufficient evidence for disciplinary purposes.⁴

Any future challenges to the validity of petitioner's judgment of conviction may be made through appellate counsel in petitioner's direct appeal in Docket No. 39717 or in a post-conviction petition for a writ of habeas corpus filed in the district court. Accordingly, we

ORDER the petition DENIED.⁵


_____, C.J.
Young


_____, J.
Rose


_____, J.
Agosti

cc: Hon. Donald M. Mosley, District Judge
Attorney General/Carson City
Clark County District Attorney
Lori C. Teicher
Felton L. Matthews, Jr.
Clark County Clerk

⁴Nevada Code of Penal Discipline §III (D) (Major Violation #48).

⁵We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.