

IN THE SUPREME COURT OF THE STATE OF NEVADA

VICTOR RIVERA,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, AND THE HONORABLE JOHN  
S. MCGROARTY, DISTRICT JUDGE,

Respondents,

and

THE STATE OF NEVADA,  
Real Party in Interest.

No. 40742

FILED

JAN 21 2003

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

ORDER DENYING PETITION

This is a proper person petition for a writ of mandamus seeking an order directing the district court to hear petitioner's habeas corpus petition filed prior to sentencing and entry of the judgment of conviction. 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 at this time.<sup>1</sup> The district court properly declined to consider

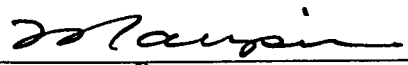
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<sup>1</sup>See NRS 34.160; NRS 34.170.

appellant's habeas corpus petition because he filed his petition prior to sentencing and entry of the judgment of conviction.<sup>2</sup> Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, J.  
Rose

  
\_\_\_\_\_, J.  
Maupin

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. John S. McGroarty, District Judge  
Attorney General/Carson City  
Clark County District Attorney  
Victor Rivera  
Clark County Clerk

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<sup>2</sup>NRS 34.724(1).