

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN SAMUEL BRAUNSTEIN,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 40873

FILED

MAR 05 2003

JANETTE M. BLOOM
CLERK OF SUPREME COURT

No. 40874

BY *J. Richard*
CHIEF DEPUTY CLERK

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No. 40958

ORDER DENYING PETITIONS

These are proper person petitions for writs of error, habeas corpus, or mandamus.¹ We have considered the petitions, and we are not satisfied that extraordinary or habeas relief is warranted at this time.

¹We have consolidated these matters for disposition. See NRAP 3(b).

Challenges to the validity of a judgment of conviction may be raised in a post-conviction petition for a writ of habeas corpus in the district court in the first instance.² Petitioner may then appeal to this court from an adverse decision.³ Petitioner presently has two appeals pending in this court in Docket Nos. 40677 and 40678 from a decision of the district court of November 26, 2002, denying petitioner's habeas corpus petitions filed below. Petitioner will also have an adequate legal remedy at law by way of an appeal from any future final, appealable orders of the district denying additional post-conviction habeas petitions below.

We emphasize to petitioner that under these circumstances, where an adequate remedy at law exists by way of an appeal, this court will not entertain proper person petitions for extraordinary or habeas relief. Petitioner's continuous stream of proper person filings in this court seeking original habeas corpus or extraordinary relief borders on an abuse of this court's appellate and original jurisdiction. We caution petitioner that the continued filing of such frivolous original writ petitions and other

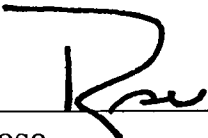
²NRS 34.724; NRS 34.738; NRAP 22.


³NRS 34.575.


documents in this court may subject him to prison disciplinary sanctions.⁴

Accordingly, we

ORDER the petitions DENIED.


_____, J.
Rose


_____, J.
Maupin


_____, J.
Gibbons

⁴Nevada Code of Penal Discipline §III (D) (Major Violation #48) 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 detailing such action shall be sufficient evidence for disciplinary purposes.

cc: Hon. Donald M. Mosley, District Judge
Steven Samuel Braunstein
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk