

IN THE SUPREME COURT OF THE STATE OF NEVADA

J. BENJAMIN ODOMS,  
Petitioner,  
vs.  
WARDEN, HIGH DESERT STATE  
PRISON, J. M. SCHOMIG,  
Respondent.

No. 42284

**FILED**

NOV 21 2003

ORDER DENYING PETITION

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

This is a proper person petition for a writ of habeas corpus challenging petitioner's habitual criminal adjudication. 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. A petition for a writ of habeas corpus should be filed in the district court in the first instance.<sup>1</sup> Petitioner may then appeal to this court from an adverse decision.<sup>2</sup> Accordingly, we

ORDER the petition DENIED.<sup>3</sup>

*Becker*  
\_\_\_\_\_, J.  
Becker

*Shearing*  
\_\_\_\_\_, J.  
Shearing

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

<sup>1</sup>NRS 34.738; NRAP 22.

<sup>2</sup>NRS 34.575.

<sup>3</sup>We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.

cc: J. Benjamin Odoms  
Attorney General Brian Sandoval/Carson City  
Clark County Clerk