

IN THE SUPREME COURT OF THE STATE OF NEVADA

HOWARD ELLIS,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 52899

FILED

JAN 08 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT

BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION

This is a proper person petition for a writ of mandamus. Petitioner seeks an order directing the return of evidence. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims, we decline to exercise our original jurisdiction in this matter. NRS 34.170. Petitioner should file his petition in the district court in the first instance. Accordingly, we

ORDER the petition DENIED.

Parraguirre, J.
Parraguirre

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Howard Ellis
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk