


IN THE SUPREME COURT OF THE STATE OF NEVADA

SEAN W. ARMSTRONG,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 53007

FILED

JAN 15 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

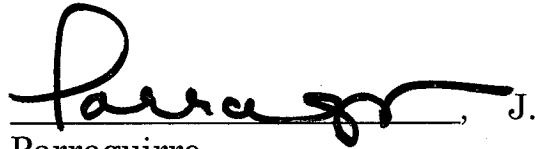
ORDER DENYING PETITION

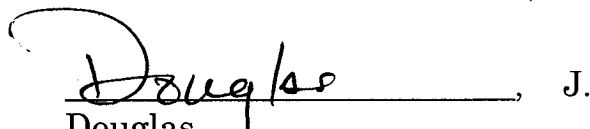
This is a proper person petition for extraordinary writ labeled, "First Amendment Petition 'Judicial Notice.'" Petitioner appears to challenge the validity of his judgment of conviction and sentence and appears to challenge the effectiveness of his appellate counsel Mr. Paul Quade. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims, we decline to exercise our original jurisdiction in this matter. A challenge to the validity of the judgment of conviction and sentence should be raised in a post-conviction petition for a writ of habeas corpus filed in the district court in the first instance. NRS 34.724(2)(b); NRS 34.738(1).¹ Petitioner should proceed by

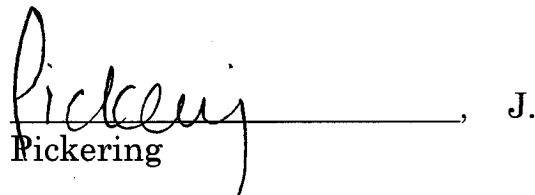
¹We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34.

and through his counsel in the direct appeal proceedings pending in this court in Docket No. 51917. Accordingly, we

ORDER the petition DENIED.


Parraguirre J.


Douglas J.


Pickering J.

cc: Sean W. Armstrong
Attorney General Catherine Cortez Masto/Carson City
Humboldt County District Attorney
Paul E. Quade, Esq.
Humboldt County Clerk