

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL THOMAS DAVITT,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 53165

FILED

FEB 10 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 habeas corpus. Petitioner challenges the continued legality of his confinement based upon his belief that he was required to be released pursuant to NRS 213.1215 (mandatory release of certain prisoners). 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. Petitioner should file a petition for a writ of habeas corpus in the district court for the county in which he is incarcerated. Accordingly, we

ORDER the petition DENIED.

Parraguirre, J.
Parraguirre

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Michael Thomas Davitt
Attorney General Catherine Cortez Masto/Carson City
White Pine County Clerk