

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALBERT E. DAWSON,
Petitioner,
vs.
GREG SMITH,
Respondent.

No. 54124

FILED

AUG 07 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION

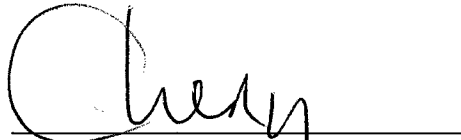
This is a proper person petition for a writ of habeas corpus. Petitioner challenges the validity of his judgment of conviction and sentence and this court's decisions in Dawson v. State, Docket No. 52103 (Order of Affirmance, April 15, 2009) and (Order Denying Rehearing, May 27, 2009). We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims, we decline to exercise original jurisdiction in this matter. A challenge to the validity of the judgment of conviction must be raised in a post-conviction petition for a writ of habeas corpus in the district court in the first instance.¹ NRS 34.724(2)(b); NRS 34.738(1). Petitioner may not challenge this court's

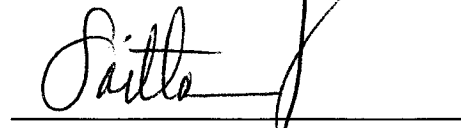
¹We express no opinion as to whether petitioner could meet the procedural requirements of NRS chapter 34.


prior decisions in an original petition for a writ of habeas corpus.

Accordingly, we

ORDER the petition DENIED.


Cherry, J.


Saitta, J.


Gibbons, J.

cc: Albert E. Dawson
Attorney General Catherine Cortez Masto/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk