## IN THE SUPREME COURT OF THE STATE OF NEVADA

FRANCISCO LEON ALVAREZ, Petitioner,

vs.

THE STATE OF NEVADA,

Respondent.

No. 54179

FILED

AUG 10 2009

## ORDER DENYING PETITION

This is a proper person petition for extraordinary relief. Petitioner complains that his post-conviction counsel failed to appeal the denial of a post-conviction petition for a writ of habeas corpus. 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. We note that appellant has a proper person post-conviction appeal pending in this court in Alvarez v. State, Docket No. 53782. Accordingly, we

ORDER the petition DENIED.

Parraguirre

J.

SUPREME COURT NEVADA

(O) 1947A

09-19494

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