

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM LYONS,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, AND THE HONORABLE  
DONALD M. MOSLEY, DISTRICT  
JUDGE,

Respondents,

and

THE STATE OF NEVADA,  
Real Party in Interest.

No. 54710

**FILED**

**OCT 21 2009**

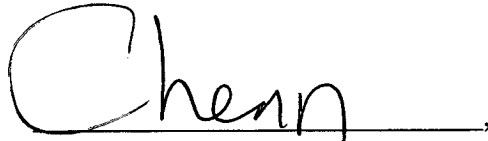
TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

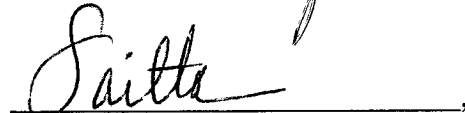
ORDER DENYING PETITION

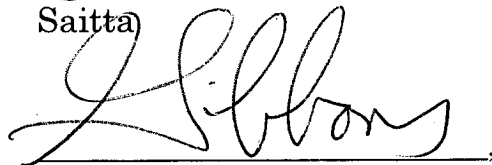
This is a proper person petition labeled as a "Motion to Vacate Conviction And Dismiss Charges With Prejudice Request For Declaratory And Injunctive Relief." We construe this as a petition for extraordinary relief. Petitioner challenges the validity of his judgment of conviction and sentence. We have 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.<sup>1</sup> NRS 34.724(2)(b); NRS 34.738(1). Accordingly, we

ORDER the petition DENIED.

 J.  
Cherry

 J.  
Saitta

 J.  
Gibbons

cc: Hon. Donald M. Mosley, District Judge  
William Lyons  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk

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