

IN THE SUPREME COURT OF THE STATE OF NEVADA

BYRON ELROY CRUTCHER,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55187

FILED

FEB 03 2010

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 certiorari. 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. NRS 34.020. 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). Accordingly, we

ORDER the petition DENIED.

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

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

cc: Byron Elroy Crutcher
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk