

IN THE SUPREME COURT OF THE STATE OF NEVADA

JORGE MANUEL RIVERA,
Petitioner,

vs.

WARDEN, NEVADA STATE PRISON,
GREGORY SMITH,
Respondent.

No. 55457

FILED

MAR 10 2010

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

ORDER DENYING PETITION

This is an original proper person petition for a writ of certiorari or a writ of habeas corpus. Petitioner challenges the validity of his judgment of conviction. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims raised therein, we decline to consider 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 filed in the district court in the first instance.¹ NRS 34.724(2)(b); NRS 34.738(1). Accordingly, we

ORDER the petition DENIED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

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

cc: Hon. Robert H. Perry, District Judge
Jorge Manuel Rivera
Attorney General/Carson City
Washoe District Court Clerk