

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID ANTHONY JOYCE,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 55600

FILED

APR 07 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 mandamus. Petitioner seeks an order compelling the district court's response. 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. See NRS 34.160; NRS 34.170. 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.

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: David Anthony Joyce
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk