

IN THE SUPREME COURT OF THE STATE OF NEVADA

SYLVESTER TATUM,
Petitioner,
vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,
Respondent,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 62418

FILED

MAR 14 2013

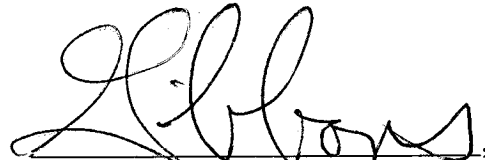
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *Angel*
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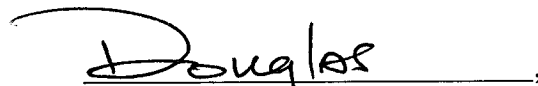
ORDER DENYING PETITION

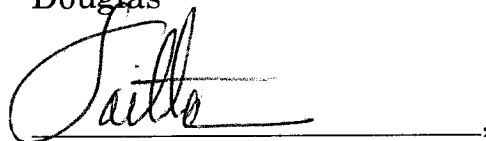
This is a proper person petition for a writ of mandamus “compelling district court for specific performance of the plea.” Petitioner seeks an order from this court directing the district court to vacate his sentence and run it concurrently, rather than consecutively, to a sentence imposed in a separate criminal case. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims raised therein, we decline to exercise original jurisdiction in this matter. See NRS 34.160; NRS 34.170. A challenge to the validity of a sentence should 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.


Gibbons, J.


Douglas, J.


Saitta, J.

cc: Sylvester Tatum
Attorney General/Carson City
Clark County District Attorney

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