

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN FRANCIS ARPINO,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE; THE HONORABLE
PATRICK FLANAGAN, DISTRICT
JUDGE; THE HONORABLE LIDIA
STIGLICH, DISTRICT JUDGE; AND
THE HONORABLE DAVID A. HARDY,
DISTRICT JUDGE,
Respondents.

No. 63885

FILED

OCT 16 2013

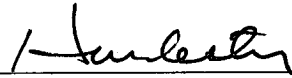
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

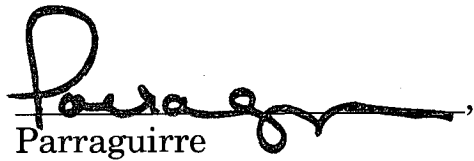
ORDER DENYING PETITION

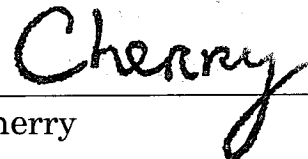
This is a proper person petition for a writ of mandamus and “first amendment petition.” Appellant asserts he received ineffective assistance of counsel and challenges the judgment of conviction. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims raised therein, we decline to exercise original jurisdiction in this matter. NRS 34.160; NRS 34.170. Further, petitioner did not demonstrate an unconstitutional prior restraint of his First Amendment rights. *See* NRS 34.185. These types of challenges to the judgment of conviction must be raised in a post-conviction petition for

a writ of habeas corpus and filed in the district court in the first instance.
See NRS 34.724(2)(b); NRS 34.738(1).¹ Accordingly, we

ORDER the petition DENIED.

, J.
Hardesty

, J.
Parraguirre

, J.
Cherry

cc: John Francis Arpino
Washoe District Court Clerk
Washoe County District Attorney

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