

IN THE SUPREME COURT OF THE STATE OF NEVADA

BENJAMIN DAVIS JONES,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 64525

FILED

JAN 16 2014

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

ORDER DENYING PETITION

This is a proper person petition for a writ of prohibition. Petitioner challenges the validity of his indictment and requests an order directing the Nevada Department of Corrections to release him from custody. Without deciding upon the merits of any claims raised in the documents submitted in this matter, we decline to exercise original jurisdiction. See NRS 34.320; NRS 34.330. 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.

[Signature], J.
Hardesty

[Signature], J.
Douglas

[Signature], J.
Cherry

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

cc: Benjamin Davis Jones
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk