

IN THE SUPREME COURT OF THE STATE OF NEVADA

TANIKO CURT SMITH,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,
Respondent.

No. 69552

FILED

FEB 10 2016

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

ORDER DENYING PETITION

This is a pro se petition for a writ of mandamus. Petitioner seeks an order directing the district court to vacate his conviction of first-degree murder with the use of a deadly weapon because the verdict form did not specify the degree of murder. 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 the judgment of conviction must be raised in a postconviction 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.

Parraguirre, C.J.
Parraguirre

Douglas, J.
Douglas

Cherry, J.
Cherry

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

cc: Taniko Curt Smith
Attorney General/Carson City
Eighth District Court Clerk

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