

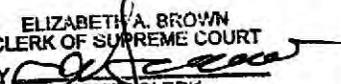
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JAMES HOWARD HAYES, JR.,
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. 82962-COA

FILED

JUN 25 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION

In this original pro se “emergency” petition for a writ of prohibition,¹ James Howard Hayes, Jr., seeks dismissal of his 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 our original jurisdiction. See NRS 34.160; NRS 34.170; NRS 34.320; NRS 34.330; NRAP 21(b)(1); *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (“Petitioner[] carr[ies] the burden of demonstrating that extraordinary relief is warranted.”). Hayes’s claims challenge the validity of his conviction, and a challenge to the validity of a judgment of conviction must be raised in a postconviction petition for a writ

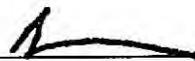
¹We note that, while Hayes refers to prohibition through his petition, he also cites to the statutes relevant to a writ of mandamus. For the reasons discussed herein, he is not entitled to relief regardless of how he styled his petition.

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

ORDER the petition DENIED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: James Howard Hayes, Jr.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²We express no opinion as to whether Hayes could meet the procedural requirements of NRS chapter 34.