

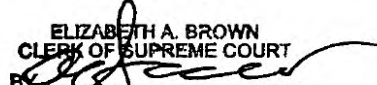
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JESSE D. NOBLE, A/K/A JESSE  
NOBEL, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 85803-COA

**FILED**

JAN 25 2024

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER OF AFFIRMANCE*

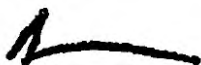
Jesse D. Noble appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on November 18, 2019,<sup>1</sup> and a supplemental petition filed on August 11, 2020. Eighth Judicial District Court, Clark County; Mary Kay Holthus, Judge.

Noble argues the district court erred by denying his petition, because insufficient evidence supports his conviction. This claim was not raised below, and we decline to consider it on appeal in the first instance. *See McNelton v. State*, 115 Nev. 396, 416, 990 P.2d 1263, 1276 (1999). Accordingly, we

ORDER the judgment of the district court AFFIRMED.



\_\_\_\_\_, C.J.  
Gibbons



\_\_\_\_\_, J.  
Bulla



\_\_\_\_\_, J.  
Westbrook

<sup>1</sup>Noble's initial pleading, filed pro se, is titled "Motion for New Trial." The district court construed it as a postconviction petition for a writ of habeas corpus, and Noble does not challenge this decision on appeal.

24-02967

cc: Hon. Mary Kay Holthus, District Judge  
The Gersten Law Firm PLLC  
Attorney General/Carson City  
Clark County District Attorney  
Attorney General/Las Vegas  
Eighth District Court Clerk