

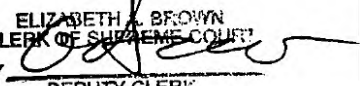
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RAFAEL BERNARDO ALVAREZ,
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. 87690-COA

FILED

MAR 28 2024

ELIZABETH L. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION

In this original petition for a writ of certiorari and mandamus or prohibition, Rafael Bernardo Alvarez seeks an order directing the district court to dismiss or vacate his convictions and to bar any reprosecution on the charges. Alvarez's claims challenge the validity 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; NRS 34.020; NRAP 21(b)(1); *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) ("Petitioner[] carr[ies] the burden of demonstrating that extraordinary relief is warranted."). A postconviction petition for a writ of habeas corpus filed in the district court in the first instance is the exclusive remedy to raise a postconviction


challenge to the validity of a conviction.¹ *McConnell v. State*, 125 Nev. 243, 247, 212 P.3d 307, 310 (2009); accord NRS 34.724(2)(b); NRS 34.738(1).

Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Gibbons


_____, J.
Bulla


_____, J.
Westbrook

cc: Hon. Erika D. Ballou, District Judge
Rafael Bernardo Alvarez
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

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