

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN KERRY O'KEEFE,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
MICHAEL VILLANI, DISTRICT  
JUDGE,

Respondents,

and

THE STATE OF NEVADA,  
Real Party in Interest.

No. 89798

**FILED**

APR 17 2025

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION*

This is a pro se original petition for writ relief challenging the district court's jurisdiction to enter a judgment of conviction. Petitioner Brian Kerry O'Keefe styles the petition as seeking a "writ of error." Given that the petition challenges a judgment of conviction, we treat it as a postconviction petition for a writ of habeas corpus.

A postconviction petition for a writ of habeas corpus must comply with the procedural requirements set forth in NRS Chapter 34, including being filed in the district court in the first instance.<sup>1</sup> See NRS 34.738(1). In filing the petition with this court, O'Keefe has failed to comply with the provisions governing a postconviction challenge to a judgment of conviction. "[T]his court will not exercise its original jurisdiction to consider

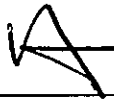
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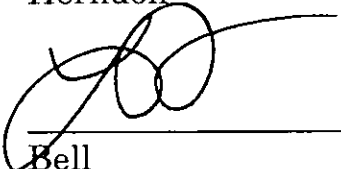
<sup>1</sup>We express no opinion whether O'Keefe can satisfy the procedural requirements for a postconviction habeas petition considering that remittitur issued on direct appeal on July 23, 2013. *O'Keefe v. State*, No. 61631, 2013 WL 1501038 (Nev. Apr. 10, 2013) (Order of Affirmance).

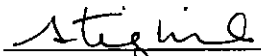
a writ petition in a criminal case raising claims that could or should have been raised in an appeal or in an appropriate post-conviction proceeding in the district court." *Hosier v. State*, 121 Nev. 409, 411, 117 P.3d 212, 213 (2005).

Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, C.J.  
Herndon

  
\_\_\_\_\_, J.  
Bell

  
\_\_\_\_\_, J.  
Stiglich

cc: Chief Judge, Eighth Judicial District Court  
Brian Kerry O'Keefe  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk