

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTHONY CLARKE,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE,

Respondent,

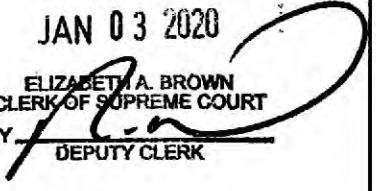
and

THE STATE OF NEVADA,
Real Party in Interest.

No. 80185

FILED

JAN 03 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION FOR A WRIT OF HABEAS CORPUS


This is an original pro se petition for a writ of habeas corpus challenging a district court's presentence denial of petitioner's motion to dismiss, motion for discovery, petition for a writ of habeas corpus, and motion to withdraw a guilty plea.

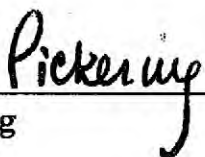
Problematically, petitioner has not provided this court with exhibits or other documentation that would support his claims for relief. See NRAP 21(a)(4) (providing the petitioner shall submit an appendix containing all documents "essential to understand the matters set forth in the petition"). Therefore, without deciding the merits of the claims raised, we decline to exercise our original jurisdiction in this matter, see NRAP 21(b); *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.").

Moreover, we note that petitioner alleges he has now been sentenced to a term of 28 to 97 months in the Nevada Department of Corrections, and a challenge to a judgment of conviction must be raised in an appeal from the judgment of conviction or in a postconviction petition for a writ of habeas corpus filed in the district court in the first instance. NRS 34.724; NRS 34.738; NRAP 22.¹ Accordingly, we

ORDER the petition DENIED.


Gibbons C.J.


Pickering, J.


Hardesty, J.

cc: Anthony Clarke
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

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