

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANDRE X SHERMAN,
Petitioner,

vs.

REV. DR. JANE FORAKER-THOMPSON;
WARDEN, NEVADA STATE PRISON, MICHAEL
BUDGE; AND JAMES BACA, AWP, NSP,
Respondents.

No. 43369

FILED

AUG 27 2004

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. P. [Signature]*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original proper person petition for a writ of mandamus challenges respondents' alleged violations of petitioner's right to the free exercise of religion. We have considered this petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time.¹ Accordingly, we deny the petition.²

It is so ORDERED.³

Rose
_____, J.
Rose

Maupin
_____, J.
Maupin

Douglas
_____, J.
Douglas

¹We note that a writ of mandamus will not issue if petitioner has a plain, speedy, and adequate remedy in the ordinary course of law. NRS 34.170.

²See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

³Although petitioner was not granted leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents received from him. Additionally, we conclude that petitioner has demonstrated good cause to waive the filing fee in this matter, see NRAP 21(e), therefore no filing fee is due.

cc: Attorney General Brian Sandoval/Carson City
Andre X Sherman