IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN LUCKETT,
Petitioner,
  vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
JESSIE WALSH, DISTRICT JUDGE,
Respondents,
  and
CHARLESTONWOOD APARTMENTS,
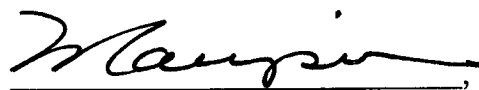Real Party in Interest.

No. 43642

FILED

MAR 0 4 2005

JANETTE M BLOOM
CLERK OF SUPREME COURT
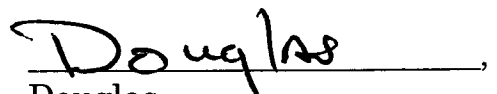BY _____
CHIEF DEPUTY CLERK

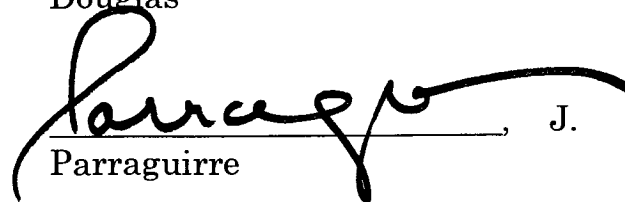## ORDER DISMISSING PETITION FOR WRIT OF MANDAMUS AS MOOT

This original proper person petition for a writ of mandamus challenges a district court order that granted a motion for attorney fees and costs filed by real party in interest Charlestonwood Apartments and Terrie Locklin, Charlestonwood's co-defendant in the underlying case. Based on documents submitted by petitioner, it appears that this petition is now moot. Specifically, petitioner is challenging a July 2, 2004 district court order directing him and Jay Silverman, the plaintiff in the underlying case, to pay attorney fees and costs. Petitioner points out that he was not a party to the underlying case and argues that he was improperly directed to pay fees and costs. Petitioner has now provided this court with a copy of an amended order, filed on February 9, 2005, granting the motion for attorney fees and costs and directing only Jay Silverman to pay attorney fees and costs. Consequently, petitioner's name is no longer listed as being required to pay fees and costs on the order. As

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petitioner is no longer being directed to pay attorney fees and costs, this petition is now moot. Accordingly, we dismiss the petition.[1]

It is so ORDERED.[2]

_____, J.
Maupin

_____, J.
Douglas

_____, J.
Parraguirre

cc: Hon. Jessie Elizabeth Walsh, District Judge
       John Luckett
       John Peter Lee Ltd.
       Clark County Clerk

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[1]University of Nevada v. Tarkanian, 95 Nev. 389, 394, 594 P.2d 1159, 1162 (1979).

[2]We deny all motions currently pending in connection with this petition. Although 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.