IN THE SUPREME COURT OF THE STATE OF NEVADA

ERIC AMBERSON AND TRACI AMBERSON, (QUALIFIED ELECTORS OF THE STATE OF NEVADA), AND REPRESENTED PETITIONERS, (ALL QUALIFIED ELECTORS OF THE STATE OF NEVADA WHO HAVE REGISTERED TO VOTE BUT HAVE BEEN DENIED THE RIGHT TO REGISTER TO VOTE),
Petitioners,
   vs.
DANIEL G. BURK, WASHOE COUNTY REGISTRAR OF VOTERS; LARRY LOMAX, CLARK COUNTY REGISTRAR OF VOTERS; DEAN HELLER, SECRETARY OF STATE; AND THE RESPECTIVE OFFICIAL VOTER REGISTRARS OF ALL NEVADA COUNTIES,
Respondents.

No. 44167

FILED

NOV 01 2004

JANETTE M BLOOM
CLERK OF SUPREME COURT
BY_____
   CHIEF DEPUTY CLERK

ORDER DENYING PETITION
FOR WRIT OF MANDAMUS AND/OR PROHIBITION

This original petition for a writ of mandamus and/or prohibition requests that this court direct all Nevada voter registrars "to place in the voters register and poll book, the names of Petitioners and all Represented Petitioners, who can present . . . documentation evidencing their good faith completion and submission of voter registration forms."

We have considered the petition, and although the petition raises significant issues pertaining to Nevada citizens' right to vote, our intervention is not appropriate. This court is ill-equipped to resolve

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factual issues, such as whether petitioners are qualified electors and whether they submitted properly completed voter registration forms. The district court is the proper forum in which to resolve this matter in the first instance.[1] Accordingly, we deny the petition.[2]
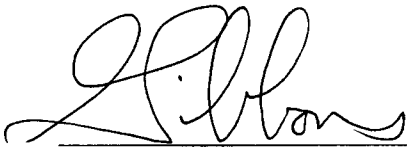
It is so ORDERED.[3]

_____, J.
Agosti

_____, J.
Rose

_____, J.
Becker

_____, J.
Maupin

_____, J.
Gibbons

cc: Attorney General Brian Sandoval/Carson City
     Clark County District Attorney David J. Roger/Civil Division
     Washoe County District Attorney Richard A. Gammick /Civil Division
     Richard F. Cornell
     Donald Cavin Hill
     Peter Chase Neumann
     Charles E. Springer
     Kummer Kaempfer Bonner & Renshaw

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[1]Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981).

[2]See NRAP 21(b).

[3]The Honorable Michael L. Douglas, Justice, has voluntarily recused himself in this matter. The motion to intervene is denied as moot.