

IN THE SUPREME COURT OF THE STATE OF NEVADA

FRANK LANDAVAZO AND MIKE
BELUE,
Petitioners,

vs.

NEVADA DEPARTMENT OF
CORRECTIONS; LOVELOCK
CORRECTIONAL CENTER; NEVADA
DEPARTMENT OF HUMAN
RESOURCES; STATE HEALTH
OFFICER; AND THE STATE OF
NEVADA,
Respondents.

No. 44587

FILED

APR 22 2005

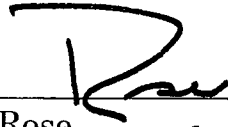
JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK


ORDER DENYING PETITION FOR WRIT OF MANDAMUS

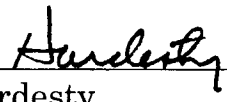
This original proper person petition for a writ of mandamus challenges respondents' alleged refusal to provide petitioners with medical treatment for Hepatitis-C. We have considered this petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted. In particular, we note that the resolution of this petition would require this court to make factual determinations, a task for which this court is not suited, and therefore this petition is more appropriately

considered by the district court in the first instance.¹ Accordingly, we deny the petition.²

It is so ORDERED.³


_____, J.
Rose


_____, J.
Gibbons


_____, J.
Hardesty

cc: Mike Belue
Frank Landavazo
Attorney General Brian Sandoval/Carson City

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

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

³We conclude that petitioners have demonstrated good cause and so we waive the filing fee. See NRAP 21(e). Although petitioners were not granted leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents received from them.