

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANTHONY J. BURRIOLA,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, AND THE HONORABLE  
DOUGLAS HERNDON, DISTRICT  
JUDGE,

Respondents,

and

NEVADA DEPARTMENT OF  
PRISONS,

Real Party in Interest.

No. 44761

**FILED**

SEP 23 2005

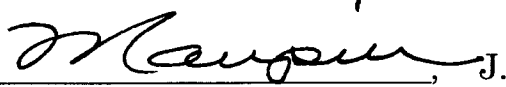
JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Rehal*  
CHIEF DEPUTY CLERK

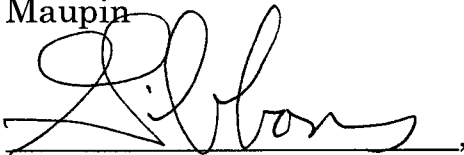
ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original proper person petition for a writ of mandamus challenges the district court's alleged refusal to review petitioner's pending civil lawsuit. We have considered this petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted. Specifically, we note that petitioner has failed to carry his NRAP 21(a) burden and therefore has not demonstrated that the


extraordinary remedy of mandamus should be granted.<sup>1</sup> Accordingly, we deny the petition.<sup>2</sup>

It is so ORDERED.<sup>3</sup>

  
\_\_\_\_\_ J.

Maupin  
  
\_\_\_\_\_ J.

Gibbons

  
\_\_\_\_\_ J.  
Hardesty

cc: Hon. Douglas W. Herndon, District Judge  
Anthony J. Burriola  
Attorney General Brian Sandoval/Carson City  
Clark County Clerk

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<sup>1</sup>See NRAP 21(a); Pan v. Dist. Ct., 120 Nev. 222, 88 P.3d 840 (2004).

<sup>2</sup>See Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

<sup>3</sup>Although appellant was not granted leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents received from appellant.