

IN THE SUPREME COURT OF THE STATE OF NEVADA

FELTON L. MATTHEWS, JR.,  
Petitioner,  
vs.  
COUNTY OF CLARK; COUNTY OF  
WHITE PINE; COUNTY OF  
PERSHING; AND THE STATE OF  
NEVADA,  
Respondents.

No. 45335

**FILED**

JUL 19 2005

JANETTE W. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richard*  
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR EXTRAORDINARY RELIEF

This proper person original petition for extraordinary relief seeks an order directing the district court clerk(s) to file petitioner's complaint for defamation and/or directing the district court(s) to try, or to grant petitioner summary judgment on, issues concerning the alleged defamation.<sup>1</sup>

Under NRAP 21(a), a petition for extraordinary relief must contain, among other things, statements of "the facts necessary to an understanding of the issues presented by the application," the issues presented and the relief sought, and the reasons why the writ should issue.<sup>2</sup> Thus, because a petitioner bears the burden of demonstrating that

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<sup>1</sup>Petitioner asserts that such relief is warranted based on an order in a prior related case indicating that petitioner's district court defamation action is an adequate legal remedy. See Matthews (Felton) v. State, Docket No. 44626 (Order Denying Petition, March 4, 2005).

<sup>2</sup>See Pan v. Dist. Ct., 120 Nev. 222, 224, 88 P.3d 840, 844 (2004).

extraordinary relief is warranted,<sup>3</sup> he must provide the court with any and all materials that are “essential to an understanding of the matters set forth in the petition.”<sup>4</sup> Since this court is unable to properly evaluate petitions that fail to comply with NRAP 21(a), such petitions must be denied.<sup>5</sup>

In this case, petitioner has failed to adequately comply with NRAP 21(a)’s requirements, and we are thus unable to evaluate his request(s) for relief. For instance, petitioner alleges that he has been improperly denied access to Nevada courts, apparently because a court clerk (or several court clerks) determined that the court was without jurisdiction, but he has not specified what he attempted to file, when and where he attempted to file it, or what exactly transpired when he attempted to file it. In addition, petitioner alleges that the White Pine County sheriff has refused to serve process, but it unclear whether there exists any order requiring him to do so, and if so, in which case. Finally, petitioner mentions that certain civil and criminal filings are being delayed, but provides no specific explanation as to which filings are being delayed or as to why, if the filings’ alleged abuses are resolved in the meanwhile, extraordinary relief is warranted. Accordingly, as petitioner

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<sup>3</sup>Id.


<sup>4</sup>NRAP 21(a).

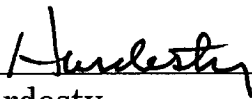
<sup>5</sup>Pan, 120 Nev. at 224, 88 P.3d at 844.

has not met his burden to demonstrate that extraordinary relief is warranted, we deny this petition.<sup>6</sup>

It is so ORDERED.<sup>7</sup>

  
\_\_\_\_\_, J.  
Rose

  
\_\_\_\_\_, J.  
Gibbons

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

cc: Felton L. Matthews Jr.  
Attorney General Brian Sandoval/Carson City  
White Pine County Clerk  
Clark County Clerk  
Pershing County Clerk

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<sup>6</sup>A portion of this petition appears to involve issues pertaining to petitioner's appeal in Docket No. 42339. To the extent petitioner requests relief relating to that appeal, including an order remanding the matter for discovery, we note that petitioner's concerns will be considered in the context of that appeal.

<sup>7</sup>Petitioner also requests leave to proceed in forma pauperis and for submission of this matter and an evidentiary hearing. While we waive the filing fees in this matter, see NRAP 21(e), we deny petitioner's other requests as moot.