

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID LEE SIEWERT,
Petitioner,
vs.
THE FIFTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
MINERAL, THE HONORABLE JOHN P.
DAVIS, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 45702

FILED

AUG 24 2005

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

ORDER DENYING PETITION

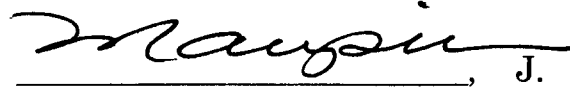
This is a proper person petition for a writ of mandate. Petitioner argues that the State has failed in its duty to file a timely response to his post-conviction petition for a writ of habeas corpus filed in the district court. Petitioner further claims that the district court has not taken any action on his motion to grant the petition due to the State's failure to respond. We have considered the petition on file herein, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time.¹ We are confident that the district court will resolve all pending matters as its calendar permits. The district court

¹See NRS 34.160.

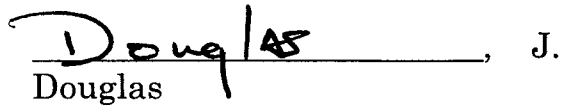
may take any appropriate action in relation to the filing of a response.²

Accordingly, we

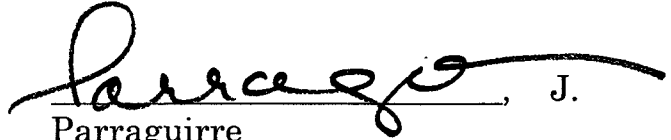
ORDER the petition DENIED.³

 J.

Maupin

 J.

Douglas

 J.

Parraguirre

cc: Hon. John P. Davis, District Judge
David Lee Siewert
Attorney General Brian Sandoval/Carson City
Mineral County District Attorney
Mineral County Clerk

²See NRS 34.745(1).

³We have received all proper person documents submitted in this matter, and we conclude that no relief is warranted for the reason set forth above.