

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER SOUND O'NEILL,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 46691

FILED

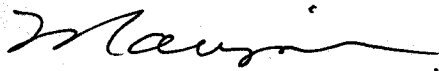
FEB 21 2006

ORDER DENYING PETITION

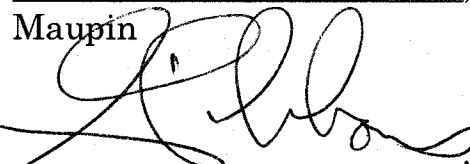
JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY  CHIEF DEPUTY CLERK

This is a proper person petition for a writ of mandamus. Petitioner seeks an order directing the district court to hear and rule upon his motion for a new trial. Petitioner asserts that Judge Elliott struck the motion as a fugitive document on December 15, 2005. 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 Petitioner may file a notice of appeal from an order of the district court denying a motion for a new trial.² Accordingly, we

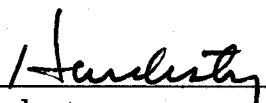
ORDER the petition DENIED.



Maupin J.



Gibbons J.



Hardesty J.

¹See NRS 34.160; NRS 34.170.

²See NRAP 4(b)(1). We express no opinion as to whether petitioner's appeal would be timely filed at this time.

cc: Hon. Steven P. Elliott, District Judge
Christopher Sound O'Neill
Attorney General George Chanos/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk