

IN THE SUPREME COURT OF THE STATE OF NEVADA

HENRY J. WARD,
Petitioner,
vs.
CORRECTIONAL OFFICER D.
KONRAD,
Respondent.

No. 46797

FILED

MAR 27 2006

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

ORDER DENYING PETITION FOR EXTRAORDINARY RELIEF

On February 17, 2006, this court received from petitioner Henry J. Ward a proper person document styled "motion in opposition to 'order setting aside default and order of dismissal.'" Although the document appears to challenge a district court order, Ward apparently has not filed any notice of appeal.¹ Accordingly, we construe Ward's document as a proper person petition seeking to invoke this court's original jurisdiction over requests for extraordinary writ relief.

Petitions for extraordinary writ relief must be accompanied by affidavit or verification.² And under NRAP 21(a), a petition for extraordinary relief must contain, among other things, copies of any necessary parts of the record.³ Thus, because a petitioner bears the burden of demonstrating that extraordinary relief is warranted,⁴ he must

¹See NRAP 3(a) (providing that a notice of appeal must be filed with the district court clerk); NRAP 3A(b) (listing appealable orders).

²See NRS Chapter 34 (governing petitions for extraordinary relief).

³See Pan v. Dist. Ct., 120 Nev. 228-29, 224, 88 P.3d 840, 844 (2004)..

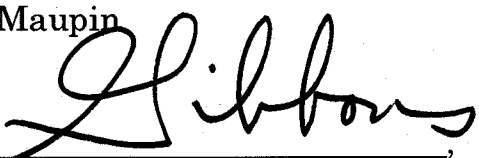
⁴Id.

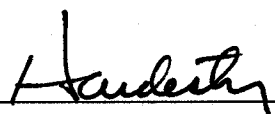
provide the court with any and all materials that are "essential to an understanding of the matters set forth in the petition."⁵ Since this court is unable to properly evaluate petitions that fail to comply with NRAP 21(a), such petitions must be denied.⁶ Further, we note that, to the extent that Ward challenges an appealable district court order, writ relief is precluded.⁷

Petitioner has failed to comply with the NRAP 21(a) requirements. In particular, he has not provided this court with a copy of the district court order he appears to challenge; nor has he demonstrated why this court's exercise of its original jurisdiction would be appropriate in this instance. Accordingly, extraordinary relief is not warranted, and we deny Ward's request for relief.

It is so ORDERED.⁸


_____ J.

Maupin

_____ J.
Gibbons


_____ J.
Hardesty

⁵NRAP 21(a).

⁶Pan, 120 Nev. at 229, 88 P.3d at 844 (quoting NRAP 21(a)).

⁷Id. at 224, 88 P.3d at 841 (reaffirming that an appeal is adequate remedy at law that precludes writ relief).

⁸We note that Ward's failure to pay the filing fee constitutes an independent basis on which to deny this petition. NRAP 21(e).

cc: Henry J. Ward
Attorney General George Chanos/Carson City
Carson City Clerk