

IN THE SUPREME COURT OF THE STATE OF NEVADA

DARRIN LAY,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 46839

FILED

MAR 28 2006

ORDER DENYING PETITION

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

This is a proper person petition for a writ of mandamus. Petitioner asserts that on December 28, 2005, the district court ordered attorney Stanley Walton to provide petitioner with his case file. Petitioner claims that to date he has not received any documents from Mr. Walton. 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.¹ Petitioner should seek enforcement of the district court's December 28, 2005 order in the district court in the first instance.² Accordingly, we

ORDER the petition DENIED.

Maupin J.
Maupin

Gibbons J.
Gibbons

Hardesty J.
Hardesty

¹See NRS 34.160.

²See NRS 7.055(2) ("If the court finds that an attorney has, without just cause, refused or neglected to obey its order given under this section, the court may, after notice and hearing, adjudge the attorney guilty of contempt and may fine or imprison him until the contempt is purged.").

cc: Hon. Kathy A. Hardcastle, District Judge
Darrin Lay
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger
Stanley Walton, Esq.
Clark County Clerk