

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD L. MIKELL,  
Petitioner,  
vs.  
ASSET ACCEPTANCE, LLC, AN  
ASSIGNEE OF FIRST SELECT BANK,  
Respondent.

No. 47045

**FILED**

MAY 23 2006

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY J. Alvarado  
DEPUTY CLERK

ORDER DENYING PETITION FOR  
EXTRAORDINARY RELIEF

This proper person original petition for extraordinary relief complains of judicial malfeasance, misfeasance, nonfeasance and public employee misconduct.

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>1</sup> Thus, because a petitioner bears the burden of demonstrating that extraordinary relief is warranted,<sup>2</sup> he must provide the court with any and all materials that are “essential to an understanding of the matters set

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<sup>1</sup>See Pan v. Dist. Ct., 120 Nev. 222, 228-29, 88 P.3d 840, 844 (2004).

<sup>2</sup>Id.

forth in the petition.”<sup>3</sup> Since this court is unable to evaluate petitions that fail to comply with NRAP 21(a), such a petition must be denied.<sup>4</sup>

Here, petitioner has failed to adequately comply with NRAP 21(a)’s requirements, and we are thus unable to evaluate his petition. As an initial matter, petitioner seems to allege that the justice’s court improperly entered a default judgment against him, apparently, at least in part, because respondent’s complaint was “fraudulent.” But petitioner failed to provide a statement of the facts that led to any justice’s court proceeding or to outline what transpired within that alleged proceeding. He also failed to include with his petition a copy of any complaint or any ensuing default judgment. Further, although petitioner generally refers to his “attempts” to file documents in the justice’s court in response to respondent’s complaint, he failed to coherently specify what exactly transpired when he attempted to file them.<sup>5</sup>

Petitioner has likewise failed to provide factual support for his myriad assertions of misconduct by the justice’s court, respondent, and respondent’s counsel. Finally, petitioner fails to mention why this court’s intervention by way of extraordinary relief is warranted,<sup>6</sup> or the precise

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<sup>3</sup>NRAP 21(a).

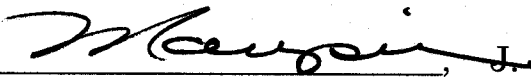
<sup>4</sup>Pan, 120 Nev. at 229, 88 P.3d 844.

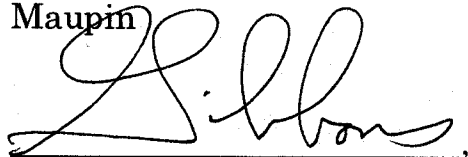
<sup>5</sup>Although petitioner attached to his petition copies of documents, captioned “Motion for Default, Fees, Expenses, Sanctions and Equitable Expenses,” “Motion for Summary Judgment Counterclaim for Fees,” and “Defendant Counterclaim for Fees, Costs, Lost Wages and Sanctions,” these documents bear no stamp indicating that the justice’s court either received or filed them.

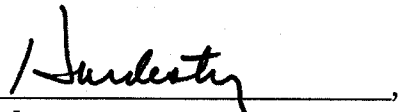
<sup>6</sup>If, as petitioner appears to assert, the justice’s court entered a default judgment against him, then he fails to indicate why an appeal to  
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relief that petitioner is seeking. Accordingly, as petitioner has not met his burden of demonstrating that extraordinary relief is warranted, we deny this petition.

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

  
\_\_\_\_\_, J.  
Maupin

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

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

cc: Richard L. Mikell  
Callister & Reynolds

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the district court is not a plain, speedy, and adequate legal remedy. See JCRCP 72, 72A, and 72B; cf. Pan, 120 Nev. at 224, 88 P.3d 841.

<sup>7</sup>We deny petitioner's request to impose sanctions, and his request that this court reimburse him for the filing fee.