

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN STEVEN OLAUSEN,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 47205

FILED

AUG 22 2006

ORDER OF AFFIRMANCE

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

This is a proper person appeal from an order of the district court denying appellant's petition for a writ of mandamus/prohibition to disqualify Judge Connie Steinheimer. Second Judicial District Court, Washoe County; Robert H. Perry, Judge.

On December 14, 1979, the district court convicted petitioner, pursuant to a guilty plea, of one count of first-degree murder. The district court sentenced petitioner to serve a term of life in the Nevada State Prison without the possibility of parole. This court affirmed the judgment of conviction on direct appeal.¹

On February 28, 2006, appellant filed a proper person post-conviction petition for a writ of mandamus and/or prohibition. The State opposed the petition. The district court heard argument on the petition. On April 14, 2006, the district court denied the petition. This appeal followed.

In his petition, appellant claimed Judge Steinheimer was biased against him. He claimed her bias was apparent from her failure to follow proper procedures in hearing his previous motions and petitions,

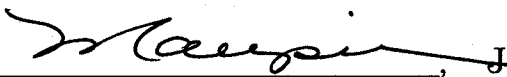
¹Wilson v. State, 99 Nev. 362, 664 P.2d 328 (1983).

her rulings in favor of deputy appellate district attorney Gary Hatlestad, and her willingness to believe Mr. Hatlestad's written and oral representations to her.

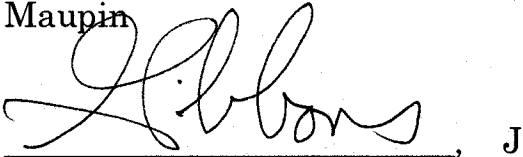
Appellant failed to demonstrate that Judge Steinheimer's actions were the result of actual or implied bias.² Accordingly, we conclude the district court did not err in denying the petition.

Having reviewed the record on appeal, and for the reasons set forth above, we conclude that appellant is not entitled to relief and that briefing and oral argument are unwarranted.³ Accordingly, we

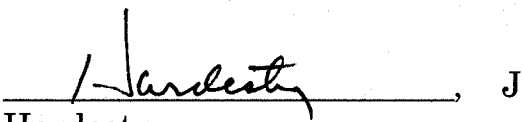
ORDER the judgment of the district court AFFIRMED.

 J.

Maupin

 J.

Gibbons

 J.

Hardesty

cc: Hon. Robert H. Perry, District Judge
John Steven Olausen
Attorney General George Chanos/Carson City
Washoe County District Attorney Richard A. Gammick
Washoe District Court Clerk

²See NRS 1.230(1); see also Kirksey v. State, 112 Nev. 980, 1005-07, 923 P.2d 1102, 1118-19 (1996).

³See Luckett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).