

IN THE SUPREME COURT OF THE STATE OF NEVADA

CHRISTOPHER ANTHONY JONES,
Petitioner,
vs.
OFFICE OF THE FIRE MARSHAL,
Respondent.

No. 47739

FILED

JAN 09 2007

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

ORDER DENYING RECONSIDERATION AND
DENYING PETITION FOR WRIT OF MANDAMUS

This proper person original petition for a writ of mandamus challenges (1) a district court order that denied petitioner's motion for an extension of time to serve two defendants and (2) respondent Office of the State Fire Marshal's purported failure to respond to petitioner's request for public information. On October 5, 2006, this court entered an order that denied petitioner's first challenge and directed the Office of the State Fire Marshal to address the issues raised by petitioner's second challenge.

Now, petitioner has submitted a "petition for rehearing," and a supplement thereto, of this court's October 5 order, to the extent that it denied his first challenge.¹ But because our October 5 order was not the

¹We direct the clerk of this court to file petitioner's "Motion for Enlargement of Time to File Motion for Rehearing," which we deny as moot, and his subsequent "Petition for Rehearing" and "Supplement to
continued on next page . . .

final disposition of this matter, petitioner's rehearing petition is not appropriately before this court.² We thus construe his petition as a motion for reconsideration of our October 5 order.³ Having reviewed the motion and supplement, we conclude that reconsideration is not warranted. Accordingly, petitioner's motion for reconsideration is denied.

Further, concerning petitioner's remaining challenge—the Office of the State Fire Marshal's purported failure to respond to petitioner's request for certain public information—we note that mandamus is an extraordinary remedy⁴ and that petitioner bears the burden of demonstrating that this court's intervention by way of extraordinary relief is warranted.⁵ Having considered the petition, the Office of the State Fire Marshal's answer, petitioner's reply,⁶ and the Office of the State Fire Marshal's ensuing response and opposition, we

... Continued

Petition for Rehearing," provisionally received in this court on October 23, 2006, October 25, 2006, and November 1, 2006, respectively.

²See NRAP 40(a); NRAP 36.

³See NRAP 27.

⁴See Poulos v. District Court, 98 Nev. 453, 455, 652 P.2d 1177, 1178 (1982).


⁵See Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

⁶Petitioner has submitted a motion requesting leave to reply to the Office of the State Fire Marshal's answer. As we grant petitioner leave for the limited purpose of filing a reply, we direct the clerk of this court to file petitioner's combined motion and reply, provisionally received in this court on November 14, 2006.

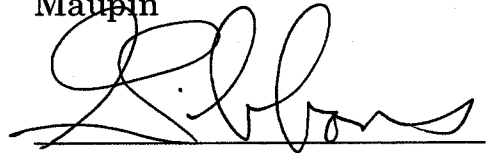
conclude that our intervention by way of extraordinary relief is not warranted, and thus we deny petitioner's remaining challenge.

Accordingly, we deny the petition.

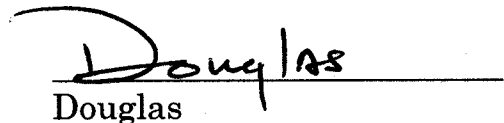
It is so ORDERED.⁷

 C.J.

Maupin

 J.

Gibbons

 J.

Douglas

cc: Hon. William A. Maddox, District Judge
Christopher Anthony Jones
Attorney General Catherine Cortez Masto/DMV/Carson City
Office of the Fire Marshal
Carson City Clerk

⁷We have considered the proper person document received from petitioner on September 21, 2006, see NRAP 46(b), and in light of this order we deny as moot any relief requested therein.