

IN THE SUPREME COURT OF THE STATE OF NEVADA

PERCY LAVAE BACON,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
KATHY A. HARDCASTLE, DISTRICT
JUDGE,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 47892

FILED

OCT 10 2006

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. J. [Signature]*
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original proper person petition for a writ of mandamus challenges a district court order directing petitioner to show cause why certain district court actions filed by petitioner should not be “denied or dismissed for failure to state a claim.”

A writ of mandamus is available to compel the performance of an act that the law requires, or to control an arbitrary or capricious exercise of discretion.¹ Mandamus is an extraordinary remedy, however—a petition for which is addressed to this court’s sole discretion.² Having

¹See NRS 34.160; Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981).

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

considered the petition and supporting documentation, we are not satisfied that this court's intervention by way of extraordinary relief is warranted.

Accordingly, we deny the petition.³

It is so ORDERED.

Becker, J.
Becker

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

cc: Hon. Kathy A. Hardcastle, District Judge
Percy Lavae Bacon
Attorney General George Chanos/Carson City
Clark County District Attorney David J. Roger/Civil Division
Clark County Clerk

³See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).