

IN THE SUPREME COURT OF THE STATE OF NEVADA


WYATT JAMES COLE,
Petitioner,
vs.
MINERAL COUNTY DISTRICT
ATTORNEY,
Respondent.

No. 47929

FILED

SEP 20 2006

ORDER DENYING PETITION

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK


This is a proper person petition for a writ of mandamus. Petitioner seeks an order directing the district attorney to file an answer to a post-conviction petition for a writ of habeas corpus filed in the district court. Petitioner asserts that he filed a post-conviction petition for a writ of habeas corpus in the district court on February 1, 2006, and that the district court ordered the district attorney to file an answer by May 1, 2006. Petitioner asserts that the district attorney has not yet complied with the district court's order.

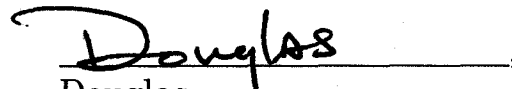
We have reviewed the documents before this court, and we conclude that our intervention in this matter is not warranted at this

time.¹ Petitioner should seek enforcement of the district court's order in the district court. We are confident that the district court will ensure that the post-conviction proceedings are conducted diligently. Accordingly, we

ORDER the petition DENIED.²


Gibbons J.


Maupin J.


Douglas J.

cc: Hon. John P. Davis, District Judge
Wyatt James Cole
Mineral County District Attorney
Mineral County Clerk

¹See NRS 34.160; NRS 34.170.

²We have considered all documents filed in this matter, and we conclude that no relief is warranted for the reason set forth above.