

IN THE SUPREME COURT OF THE STATE OF NEVADA

L. SEVILLE PARKS,
Petitioner,
vs.
DONNA M. BATH AND DAN L. PAPEZ,
Respondents.

No. 48368

FILED

DEC 11 2006

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

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original proper person petition for a writ of mandamus seeks, among other things, to compel the clerk of the Seventh Judicial district court to supervise the district court and to compel the entry of a default judgment in the underlying case.

A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station,¹ or to control a manifest abuse of discretion.² Mandamus is an extraordinary remedy, and it is within the discretion of this court to determine if a petition will be considered.³ Having considered this petition, we are not satisfied that this court's intervention by way of extraordinary relief is warranted. Accordingly, we deny the petition.⁴

¹See NRS 34.160.

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

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

⁴See NRAP 21(b); Smith, 107 Nev. 674, 818 P.2d 849.

Additionally, we note that in the last two months petitioner L. Seville Parks has filed four meritless writ petitions and one appeal that this court lacked jurisdiction to consider.⁵ We caution petitioner that if he continues to flood this court with meritless filings, this court may place limitations on his ability to continue to file appeals and petitions for extraordinary relief with this court.⁶

It is so ORDERED.

Becker, J.
Becker

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

⁵Specifically, petitioner filed the writ petitions in Docket Nos. 48214 (filed on October 12, 2006, and denied by order entered on November 9, 2006), 48309 (filed on October 30, 2006 and denied by order entered on November 9, 2006), 48365 (filed on November 7, 2006, and denied by order entered on November 9, 2006) and 48368 (the instant petition, filed on November 8, 2006, and denied by this order), and the appeal in Docket No. 48227 (filed on October 16, 2006 and dismissed for lack of jurisdiction by order entered on November 9, 2006).

⁶See Jordan v. State, Dep't of Motor Vehicles, 121 Nev. 44, 110 P.3d 30 (2005) (noting that Nevada courts have the authority to permanently restrict a litigant's right to access the courts to prevent misuse of the legal system by proper person litigants).

cc: Hon. Dan L. Papez, District Judge
L. Seville Parks
Attorney General George Chanos/Carson City
White Pine County Clerk