

IN THE SUPREME COURT OF THE STATE OF NEVADA

FELTON L. MATTHEWS, JR.,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
DOUGLAS HERNDON, DISTRICT
JUDGE,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 48690

FILED

MAR 12 2007

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

ORDER DENYING PETITION FOR
WRIT OF MANDAMUS AND PROHIBITION

This proper person petition for a writ of mandamus or prohibition seeks varied forms of relief.

Under NRAP 21(a), a petition for extraordinary relief must contain, among other things, statements of “the facts necessary to an understanding of the issues presented by the application,” the issues presented and the relief sought, and the reasons why the writ should issue.¹ Thus, because a petitioner bears the burden of demonstrating that extraordinary relief is warranted,² he must provide the court with any and all materials that are “essential to an understanding of the matters set

¹See Pan v. Dist. Ct., 120 Nev. 222, 228-29, 88 P.3d 840, 844 (2004).

²Id.

forth in the petition.”³ Since this court is unable to evaluate petitions that fail to comply with NRAP 21(a), such a petition must be denied.⁴

This petition is nearly indecipherable. Petitioner appears to request that this court enter an order directing the district court(s) to enter final judgment(s) or resolve petitioner’s motions pending in certain actions involving him. But petitioner has failed to provide a statement of the facts that led to any district court proceedings or to outline what transpired within any alleged proceedings.⁵ Petitioner also has failed to include with his petition copies of any pending motions.

Petitioner, moreover, has failed to provide any support, other than conclusory allegations, for his countless assertions of misconduct by the district court(s), the Clark County District Attorney, and child protective services.

And to the extent that petitioner intends to request any relief on behalf of petitioner’s “particular class,” petitioner lacks standing to seek relief for those individuals mentioned in his petition, because he has no discernable beneficial interest in this court’s determination, if any, with respect to them.⁶

³NRAP 21(a).

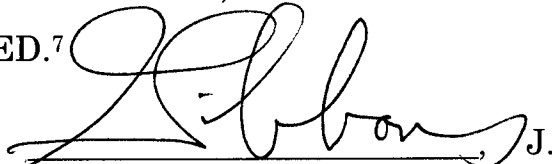
⁴Pan, 120 Nev. at 229, 88 P.3d 844.

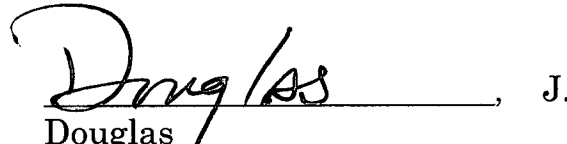
⁵At any rate, we are confident that the district court(s) will address any outstanding matters in the underlying action(s) as its/their caseload(s) permit(s).

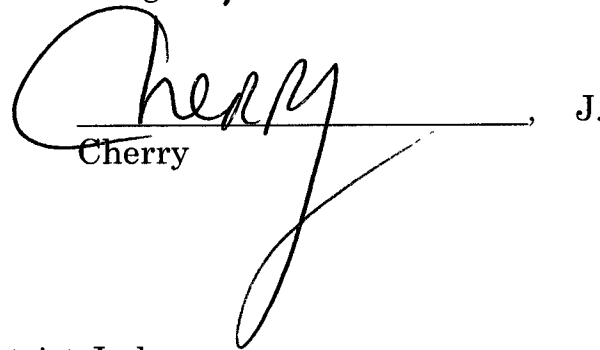
⁶See Secretary of State v. Nevada State Legislature, 120 Nev. 456, 461, 93 P.3d 746, 749 (2004) (noting that a party seeking a writ must demonstrate that he will gain a direct, substantial benefit from its issuance, or suffer a direct detriment from its denial).

Accordingly, as petitioner has not met his burden of demonstrating that extraordinary relief is warranted, we

ORDER the petition DENIED.⁷


Gibbons


Douglas


Cherry

cc: Hon. Douglas W. Herndon, District Judge
Hon. Gerald W. Hardcastle, District Judge, Family Court Division
Felton L. Matthews, Jr.
Clark County District Attorney David J. Roger/Civil Division
Eighth District Court Clerk

⁷NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

We direct the clerk of this court to file petitioner's January 5, 2007 motion for leave to proceed in forma pauperis. As the filing fee has already been waived in this matter, we deny petitioner's motion as moot.