

IN THE SUPREME COURT OF THE STATE OF NEVADA

JEFFERY PERKINS,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK, AND THE HONORABLE  
CYNTHIA DIANNE STEEL, DISTRICT  
JUDGE, FAMILY COURT DIVISION,

Respondents,

and

KAREN PERKINS,  
Real Party in Interest.

No. 48846

**FILED**

MAR 12 2007

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

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This proper person petition for a writ of mandamus seeks to compel the district court to dismiss the underlying case for failure to properly serve petitioner with the complaint.

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,<sup>1</sup> or to control a manifest abuse of discretion.<sup>2</sup> Mandamus is an extraordinary remedy, and it is within this court's discretion to determine


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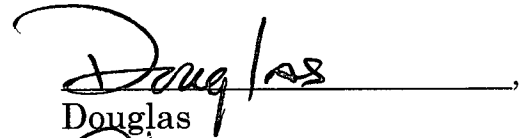
<sup>1</sup>See NRS 34.160.

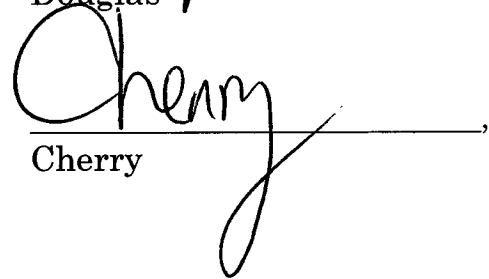
<sup>2</sup>See Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981).

if a petition will be considered.<sup>3</sup> Having reviewed this petition, we conclude that our intervention by way of extraordinary relief is not warranted. Accordingly, we deny the petition.<sup>4</sup>

It is so ORDERED.<sup>5</sup>

  
Gibbons J.

  
Douglas J.

  
Cherry J.

cc: Hon. Cynthia Dianne Steel, District Judge, Family Court Division  
Jeffery Perkins  
Karen Perkins  
Eighth District Court Clerk

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

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

<sup>5</sup>We conclude that petitioner has demonstrated good cause, and therefore we grant petitioner's motion, to proceed in forma pauperis and waive the filing fee. NRAP 21(e). The clerk of this court shall file petitioner's motion to proceed in forma pauperis, which was provisionally received on February 1, 2007.