IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL R. DULIN-EVANS,
Petitioner,
  vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, THE HONORABLE DONALD
M. MOSLEY, DISTRICT JUDGE,
Respondents,
  and
LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, DOWNTOWN AREA
OF COMMAND,
Real Party in Interest.

No. 49183

FILED

APR 2 3 2007

JANETTE M. BLOOM
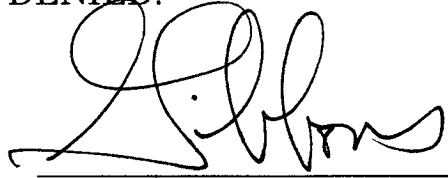CLERK OF SUPREME COURT
BY
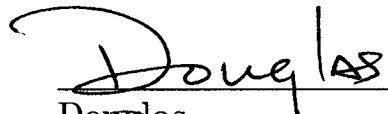   DEPUTY CLERK

ORDER DENYING PETITION

This is a proper person petition for a writ of mandamus, or in the alternative, a petition for a writ of certiorari. Petitioner seeks an order of immediate release from custody and a declaration that the Las Vegas Metropolitan Police Department's Downtown Area of Command Strategic Initiative guidelines are unconstitutional and a violation of separation of powers. Petitioner notes that this court ordered that an evidentiary hearing be conducted on a claim that his trial counsel was ineffective for advising him to enter a guilty plea because his arrest and subsequent search were allegedly illegal.[1] However, he complains that an evidentiary hearing has not yet been conducted.
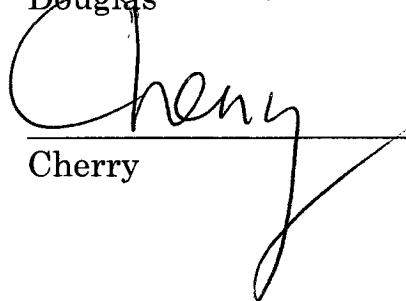
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[1]See Dulin-Evans v. State, Docket Nos. 46695, 46817 (Order Affirming in Part, Reversing in Part and Remanding, July 12, 2006).

07-09065

We have reviewed the documents before this court, and we conclude that this court's intervention is not warranted at this time.[2] The matter was remanded for proceedings in the district court, and petitioner may file an appeal from a final order denying his post-conviction petition for a writ of habeas corpus.[3] Accordingly, we

ORDER the petition DENIED.[4]

_____, J.
Gibbons

_____, J.
Douglas

_____, J.
Cherry

cc: Hon. Donald M. Mosley, District Judge
      Michael R. Dulin-Evans
      Attorney General Catherine Cortez Masto/Carson City
      Clark County District Attorney David J. Roger
      Eighth District Court Clerk

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[2]See NRS 34.020; NRS 34.160; NRS 34.170.

[3]See NRS 34.575.

[4]We have considered all proper person documents submitted in this matter, and we conclude that no relief is warranted for the reason set forth above.