

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIE LEE JEFFERSON,
Petitioner,
vs.
THE SEVENTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA, IN
AND FOR THE COUNTY OF WHITE
PINE, AND THE HONORABLE STEVE L.
DOBRESCU, DISTRICT JUDGE,
Respondents.

No. 52747

FILED

DEC 03 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This is an original proper person petition for a writ of mandamus seeking to direct respondents to issue orders in a legal action allegedly pending in the district court.


Mandamus is an extraordinary remedy, and it is within the discretion of this court to determine if a petition will be considered.¹ A writ of mandamus is available to compel the performance of an act that the law requires or to control an arbitrary or capricious exercise of discretion.² Petitioner has the burden of demonstrating that extraordinary relief is warranted, and he must provide this court with a statement of the facts necessary to understand all of the issues raised and must attach to his petition all documents necessary for this court to render

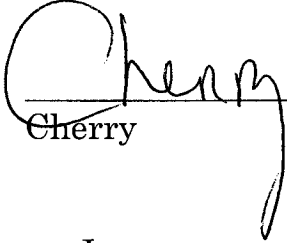
¹Poulos v. District Court, 98 Nev. 453, 455, 652 P.2d 1177, 1178 (1982); see also Smith v. District Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991).


²See NRS 34.160; Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981).

its decision.³ We have considered the petition and conclude that petitioner's factual assertions do not provide this court with a sufficient understanding of the factual and legal issues and, moreover, petitioner has failed to attach any documents to support his blanket allegations of wrongdoing.⁴ Accordingly, we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time and we deny the petition.⁵

It is so ORDERED.⁶


_____, J.
Gibbons


_____, J.
Cherry


_____, J.
Saitta

cc: Hon. Steve L. Dobrescu, District Judge
Willie Lee Jefferson
Attorney General Catherine Cortez Masto/Carson City
White Pine County Clerk

³NRAP 21(a); Pan v. Dist. Ct., 120 Nev. 222, 228-29, 88 P.3d 840, 844 (2004) (noting that this court's review in a writ proceeding is limited to the petition and accompanying documents and, therefore, if essential information is not provided, there is no way to properly evaluate the petition).

⁴See NRAP 21(a); Pan, 120 Nev. at 228-29, 88 P.3d at 844.

⁵See NRAP 21(b); Smith, 107 Nev. at 677, 818 P.2d at 851.

⁶We grant petitioner's November 13, 2008, motion to waive the filing fee. See NRAP 21(e).