

IN THE SUPREME COURT OF THE STATE OF NEVADA

COCHISE TERRELL YOUNG,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA, IN
AND FOR THE COUNTY OF CLARK, AND
THE HONORABLE JOSEPH S.
PAVLIKOWSKI, DISTRICT JUDGE,

Respondents,

and

THE STATE OF NEVADA,

Real Party in
Interest.

No. 34793

FILED

SEP 17 1999

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

ORDER DENYING PETITION

On September 9, 1999, attorney Benjamin B. Childs filed a petition "for writ of mandamus on an emergency basis." The petition is almost identical to the petition filed by attorney Childs in Docket No. 34764. The petition in Docket No. 34764 was denied in an order entered on September 3, 1999. That order noted that the petition submitted by attorney Childs was procedural deficient, relied upon legal authority which had been repealed, and that the issues presented and legal argument put forth were inadequate.

The current petition does not suffer from the same procedural deficiencies as the last. Nonetheless, attorney Childs again relies upon a repealed version of SCR 250 in

support of his petition.¹ In addition, few changes have been made from the last petition with respect to the issues presented or legal arguments put forth.

We have considered the petition on file herein, and we are not satisfied that this court's intervention by way of extraordinary writ is warranted at this time. Accordingly, we deny the petition. See NRAP 21(b); State ex rel. Dep't Transp. v. Thompson, 99 Nev. 358, 662 P.2d 1338 (1983). In addition, we caution attorney Childs that the repetitive filing of what amounts to identical petitions for extraordinary relief will not be tolerated. The submission of similar petitions in this matter in the future may constitute an abuse of our resources and subject counsel to the imposition of sanctions.

It is so ORDERED.

Rau, C.J.
Quigley, J.
Leavitt, J.
Becker, J.

cc: Hon. Joseph S. Pavlikowski, District Judge
Attorney General
Clark County District Attorney
Benjamin B. Childs
William L. Wolfbrandt
Clark County Clerk

¹ In the current petition, attorney Childs simply requests the court to "PLEASE NOTE THAT SCR RULE 250 AS IT EXISTED AT THE TIME OF THE FILING OF THE INDICTMENT IN SEPTEMBER, 1998 GOVERNS THE PROCEDURES IN THIS CASE." Attorney Childs fails to address the provisions of SCR 250(12). See SCR 250(12) (Newly adopted SCR 250 applies to all capital cases pending on or commenced after January 29, 1999.).