

IN THE SUPREME COURT OF THE STATE OF NEVADA

MIGUEL ANGEL RAMIREZ,
Appellant,
vs.
WHITE PINE COUNTY CLERK,
Respondent.

No. 53475

FILED

MAR 10 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Anderson*
DEPUTY CLERK

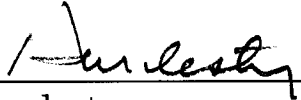
ORDER OF AFFIRMANCE

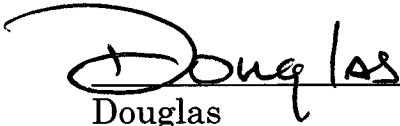
This is a proper person appeal from a district court order that denied a petition for a writ of mandamus directing the White Pine County Clerk to provide public records to appellant free of charge. Seventh Judicial District Court, White Pine County; Dan L. Papez, Judge.


Having considered the record and appellant's proper person appeal statement, we conclude that the district court did not abuse its discretion in denying appellant mandamus relief. See DR Partners v. Bd. of County Comm'rs, 116 Nev. 616, 621, 6 P.3d 465, 468 (2000) (holding that we review a district court's decision to grant or deny a petition for a writ of mandamus for an abuse of discretion); Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981) (holding that a writ of mandamus is generally available to compel the performance of an act that the law enjoins as a duty, or to control a manifest abuse of discretion). Specifically, respondent had no duty under Nevada law to disclose public records to appellant at no cost or to provide appellant free of charge with a copy of the posted list of the fees White Pine County charges for copies of public records. See NRS 239.052(2) (outlining when a governmental entity may waive fees for copies of public record); NRS

239.052(3) (outlining a governmental entity's fee-posting requirements). Accordingly, the district court properly denied appellant mandamus relief, and we

ORDER the judgment of the district court AFFIRMED.¹


_____, J.
Hardesty


_____, J.
Douglas


_____, J.
Pickering

cc: Hon. Dan L. Papez, District Judge
Miguel Angel Ramirez
Attorney General/Carson City
White Pine County District Attorney
White Pine County Clerk

¹We deny appellant's "motion for leave to file 'judicial notice to the court.'"