

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEPHEN HINES,
Petitioner,
vs.
DIRECTOR, NEVADA DEPARTMENT
OF PUBLIC SAFETY, CENTRAL
REPOSITORY OF CRIMINAL HISTORY
RECORDS,
Respondent.

No. 53877

FILED

JUN 04 2009
TRACE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

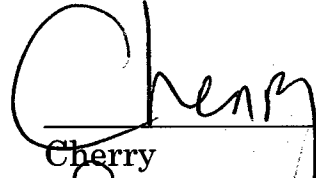
This original proper person for a writ of mandamus challenges respondent's alleged refusal to provide petitioner with copies of its regulations.

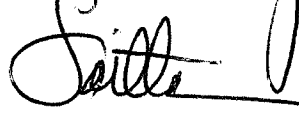
The writ of mandamus is available to compel the performance of an act that the law requires or to control a manifest abuse of discretion. See NRS 34.160; Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981). Mandamus is an extraordinary remedy, however, and whether a petition will be considered is within our discretion. See Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991). The petitioner bears the burden to demonstrate that our intervention by way of extraordinary relief is warranted. Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).


Having considered the petition and its attachments, we are not persuaded that extraordinary relief is warranted, and we therefore deny the petition. NRAP 21(b); Smith, 107 Nev. at 677, 818 P.2d at 851. In particular, petitioner has not established that respondent has a ministerial duty to provide petitioner with copies of its regulations; the

statute cited by petitioner imposes only a duty to adopt regulations.
Accordingly, we

ORDER the petition DENIED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Stephen Hines
Attorney General Catherine Cortez Masto/Carson City
Attorney General Catherine Cortez Masto/DMV/Carson City