

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALBERT E. DAWSON,
Petitioner,

vs.

ILENE HOWARD; LT. JEFF WILEY;
WARDEN JIM BENEDETTI; AND
ASSISTANT DIRECTOR DON
HELLING OF THE NEVADA
DEPARTMENT OF CORRECTIONS,
Respondents.

No. 54024

FILED

OCT 08 2009

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

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original proper person petition for a writ of mandamus seeks to compel respondents to provide appropriate dental care to petitioner. Having reviewed the petition and its attachments, we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991). In particular, this petition raises factual issues that are best resolved by the district court in the first instance. Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981).

Accordingly, we

ORDER the petition DENIED.¹

Cherry, J.
Cherry

Douglas, J.
Douglas

Gibbons, J.
Gibbons

¹We grant petitioner's motion to waive the filing fee for this petition, see NRAP 21(e), and we direct the clerk of this court to file petitioner's June 26, 2009, motion.

cc: Albert E. Dawson
Attorney General Catherine Cortez Masto/Carson City