

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL LEONETTI,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 54624

FILED

JUN 09 2010

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

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying a petition for a writ of mandamus.¹ Eighth Judicial District Court, Clark County; Donald M. Mosley, Judge.

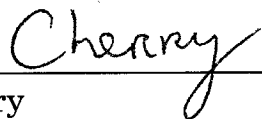
In his petition filed on August 18, 2009, appellant claimed that the clerk of the district court refused to file documents that he had submitted and that the clerk should be subject to sanctions. He also requested the attorney general or a "special master" investigate his claims and appeared to claim that the Eighth Judicial District Court judges should have recused themselves due to a conflict of interest.

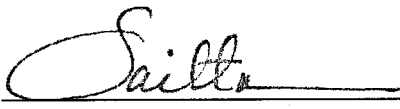
Appellant failed to demonstrate that the district court clerk refused to file his documents and failed to demonstrate that it is necessary to issue a writ of mandamus to compel the clerk file the documents. NRS 34.160; see Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 603-04,


¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

637 P.2d 534, 536 (1981); see Poulos v. District Court, 98 Nev. 453, 455, 652 P.2d 1177, 1178 (1982). The documents in question were filed in the district court on February 12, 2009. In addition, appellant failed to demonstrate that the Eighth Judicial District Court judges had a conflict of interest which would have required them to recuse themselves from this matter. Goldman v. Bryan, 104 Nev. 644, 649, 764 P.2d 1296, 1299 (1988); Sommer v. State, 112 Nev. 1328, 1335, 930 P.2d 707, 712 (1996). Therefore, the district court did not err in denying the petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

²We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.

cc: Hon. Donald M. Mosley, District Judge
Michael Leonetti
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk