

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN FRANCIS ARPINO,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
KATHY A. HARDCASTLE, DISTRICT
JUDGE,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 54748

FILED

NOV 04 2009

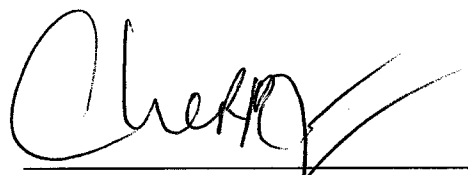
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK


ORDER DENYING PETITION

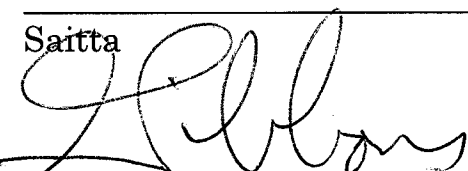
This is a proper person petition for a “writ of mandamus (motion to compel).” Petitioner argues that his sentence is illegal. He further seeks an order compelling the district court to enter findings of fact and conclusions of law relating to a motion to correct illegal sentence and a post-conviction petition for a writ of habeas corpus, for which there was a hearing on September 24, 2009. Petitioner also seeks an order prohibiting the District Attorney from using an illegal charge. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims, we decline to exercise original jurisdiction in this matter. See NRS 34.160; NRS 34.170. We are confident that the

district court will resolve all pending matters as expeditiously as the calendar permits. Accordingly, we

ORDER the petition DENIED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Kathy A. Hardcastle, District Judge
John Francis Arpino
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk