

IN THE SUPREME COURT OF THE STATE OF NEVADA

JULIAN BEJARANO DURAN,
Petitioner,
vs.
THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE,
Respondent,
and
WASHOE COUNTY,
Real Party in Interest.

No. 57647

FILED

MAR 18 2011

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

ORDER DENYING WRIT PETITION


This original proper person petition for a writ of mandamus or prohibition and a writ of certiorari challenges a district court order in a forfeiture matter.¹

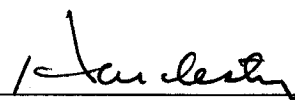
The writs of mandamus, prohibition, and certiorari are extraordinary remedies, and the decision to entertain a petition requesting these forms of relief is within this court's discretion. Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991) (mandamus and prohibition); Dangberg Holdings v. Douglas Co., 115 Nev. 129, 978 P.2d 311 (1999) (certiorari). Moreover, petitioner bears the burden of demonstrating that our intervention by way of extraordinary relief is warranted. Pan v. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004); NRAP 21(c) (providing that a petition for an extraordinary writ other than mandamus or

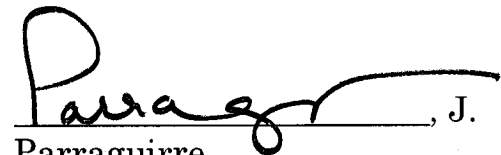
¹We direct the clerk of this court to amend the caption on this court's docket to conform with the caption on this order.

prohibition generally shall be sought in the same manner as a petition for a writ of mandamus or prohibition). Having reviewed this petition and its supporting documentation, we are not persuaded that our intervention by way of extraordinary writ relief is warranted.² See NRS 34.020(2); NRS 34.160; NRS 34.320; Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981); see also NRAP 21(b)(1).³ Accordingly, we

ORDER the petition DENIED.


Saitta, J.


Hardesty, J.


Parraguirre, J.

cc: Chief Judge, Washoe County District Court
Julian Bejarano Duran
Washoe County District Attorney/Civil Division
Washoe District Court Clerk

²We direct the clerk of this court to file petitioner's "brief in support of the writ of mandamus," provisionally received on February 23, 2011.

³According to petitioner, the district court's forfeiture order was entered on August 9, 2010. To the extent that petitioner filed the underlying writ as a vehicle to appeal that order, that avenue is closed as we have previously held that writ relief cannot correct a failure to file a timely notice of appeal. See Pan v. Dist. Ct., 120 Nev. 222, 88 P.3d 840 (2004).