

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANYA S. DUKE,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA, IN  
AND FOR THE COUNTY OF CLARK, AND  
THE HONORABLE NANCY M. SAITTA,  
DISTRICT JUDGE,

Respondents,

and

ROGER M. SIMON, M.D.,  
INDIVIDUALLY, AND AS AGENT FOR  
RETINA CONSULTANTS OF NEVADA, A  
NEVADA CORPORATION; DAVID J.  
MORTENSEN, AND ALVERSON, TAYLOR,  
MORTENSEN, NELSON & SANDERS,

Real Parties in Interest.

No. 35270

**FILED**

JAN 12 2000

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

ORDER DENYING PETITION

FOR WRIT OF MANDAMUS


This proper person petition for a writ of mandamus challenges the district court's refusal to disqualify attorney David J. Mortensen and the law firm of Alverson, Taylor, Mortensen, Nelson & Sanders as defense counsel for real party in interest Roger M. Simon, M.D., in the underlying medical malpractice action.

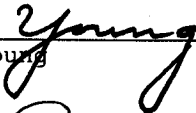
We have reviewed the petition and supporting documents, and we are not persuaded that this court's intervention by way of extraordinary writ is warranted at this time. See NRAP 21(b); see also State ex rel. Dep't Transp. v. Thompson, 99 Nev. 358, 662 P.2d 1338 (1983); Poulos v. District

Court, 98 Nev. 453, 455, 652 P.2d 1177, 1178 (1982).

Accordingly, we deny the petition.<sup>1</sup>

It is so ORDERED.

  
\_\_\_\_\_, C.J.  
Rose

  
\_\_\_\_\_, J.  
Young

  
\_\_\_\_\_, J.  
Agosti

cc: Hon. Nancy M. Saitta, District Judge  
Alverson Taylor Mortensen Nelson & Sanders  
Anya S. Duke  
Clark County Clerk

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<sup>1</sup>We direct the clerk of this court to waive the writ petition filing fee; however, we deny petitioner's other motions. Although petitioner was not granted leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents received from petitioner.