

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL STEVE COX,
Petitioner,

vs.

THE SEVENTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA, IN
AND FOR THE COUNTY OF WHITE
PINE; AND THE HONORABLE DAN L.
PAPEZ, DISTRICT JUDGE,

Respondents,

and

E.K. MCDANIEL,
Real Party in Interest.

No. 57775

FILED

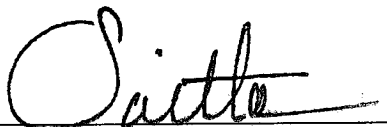
JUN 07 2011


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 challenges the district court's failure to resolve petitioner's actions. Having reviewed the petition and its attachments, we are not persuaded that extraordinary relief is warranted. NRAP 21(b)(1); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991). In particular, petitioner, as the plaintiff, not the district judge, was charged with the duty of promptly pursuing the underlying action. See Thran v. District Court, 79 Nev. 176, 181, 380 P.2d 297, 300 (1963). Accordingly, we

ORDER the petition DENIED.


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Dan L. Papez, District Judge
Michael Steve Cox
Attorney General/Carson City
White Pine County Clerk