

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 35301

ANTONIO STOKES,

Petitioner,

vs.

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

Respondents.

**FILED**

JUN 13 2000

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

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This is an original proper person writ petition challenging the district court's order denying petitioner's motion for leave to appear in forma pauperis. Petitioner failed to serve the petition upon the respondent judge.


It appeared that the petition had arguable merit, because the district court failed to state in writing its reasons for denying petitioner's motion. See Sullivan v. District Court, 111 Nev. 1367, 904 P.2d 1039 (1995). Therefore, on February 7, 2000, we ordered petitioner to serve the petition upon the respondent judge and to provide proof of such service to the clerk of this court within fifteen (15) days of the date of the order, and ordered respondent to file an answer within twenty (20) days from service of the petition. See NRAP 21(a) and (b). Petitioner failed to comply with this court's order.

On April 10, 2000, we again ordered petitioner to serve the petition upon the respondent judge and to provide proof of such service to the clerk of this court within ten (10) days of the date of the order. Petitioner failed to comply with the order, but on April 24, 2000, submitted a request for an extension of time. On May 26, 2000, respondent filed a motion to deny the petition, on the grounds that


petitioner had failed to serve the petition as ordered by this court.

We conclude that respondent's motion has merit and should be granted. Accordingly, we grant respondent's motion and deny the petition. See NRAP 21(a) and (b); State ex rel. Dep't Transp. v. Thompson, 99 Nev. 358, 662 P.2d 1338 (1983).

It is so ORDERED.<sup>1</sup>

  
\_\_\_\_\_, J.  
Maupin

  
\_\_\_\_\_, J.  
Shearing

  
\_\_\_\_\_, J.  
Becker

cc: Hon. Lee A. Gates, District Judge  
Attorney General  
Clark County District Attorney  
Antonio Stokes  
Clark County Clerk

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<sup>1</sup>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. We deny the relief requested therein as moot in light of this order.