

IN THE SUPREME COURT OF THE STATE OF NEVADA

RYAN CARTER,
Petitioner,

vs.

THE FIFTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF NYE;
AND KIMBERLY A. WANKER,
DISTRICT JUDGE,
Respondents,
and
ROBERT LEGRAND, WARDEN,
Real Party in Interest.

No. 60073

FILED

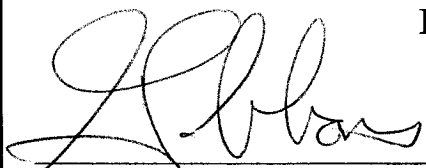
MAR 07 2012

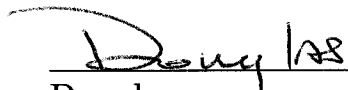
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
DEPUTY CLERK

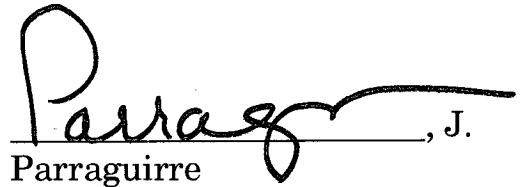
ORDER DENYING PETITION

This is a proper person petition for a writ of mandamus. Petitioner challenges the district court's decision to stay proceedings regarding his post-conviction petition for a writ of habeas corpus while appellant's appeal of a separate order denying a petition for a writ of mandamus is pending in this court. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims raised therein, we decline to exercise original jurisdiction in this matter. See NRS 34.160; NRS 34.170. The petition for a writ of mandamus is a collateral matter from the habeas corpus petition, and thus nothing would prevent the district court from considering the habeas petition. We are confident the district court will resolve all pending

matters as expeditiously as its calendar permits. Accordingly, we
ORDER the petition DENIED.


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Parraguirre

cc: Kimberly A. Wanker, District Judge
Ryan G. Carter
Attorney General/Carson City
Nye County Clerk