

IN THE SUPREME COURT OF THE STATE OF NEVADA

ERIC ROGER ALPERT,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
KATHLEEN E. DELANEY, DISTRICT  
JUDGE,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 61689

**FILED**

DEC 12 2012

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *Angela*  
DEPUTY CLERK

ORDER DENYING PETITION

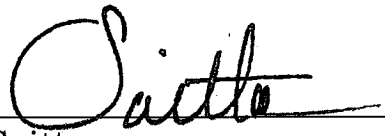
This original petition for a writ of mandamus challenges a district court order denying a motion to disqualify the Clark County District Attorney's Office from prosecuting petitioner. Petitioner asserts that District Attorney Steve Wolfson has a conflict of interest under RPC 1.9 based on his firm's prior representation of the petitioner and that conflict should be imputed to the Clark County District Attorney's Office.

After reviewing the petition and the appendix provided, we conclude that petitioner failed to present this court with sufficient evidence to demonstrate that the district court manifestly abused its discretion in denying the motion to disqualify. NRAP 21(a)(4) ("The appendix shall include a copy of any order or opinion, parts of the record before the respondent judge . . . or any other original document that may

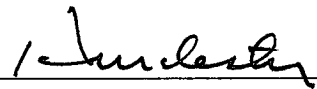
be essential to understand the matters set forth in the petition.”).

Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Hardesty

cc: Hon. Kathleen E. Delaney, District Judge  
McDonald Adras LLC  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk