

IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM CARL MISIEWICZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 62519

FILED

MAR 14 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY Angelil
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a pre-filing injunction based upon a determination that appellant is a vexatious litigant. Eighth Judicial District Court, Clark County; Doug Smith, Judge.

Because no statute or court rule permits an appeal from an injunction entered in a criminal case, we lack jurisdiction.¹ Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we

ORDER this appeal DISMISSED.

Gibbons, J.
Gibbons

Douglas, J.
Douglas

Saitta, J.
Saitta

¹It appears that if any remedy from the pre-filing injunction is available in this case it is by an original petition for a writ of prohibition, NRS 34.320; NRAP 21, arguing that the district court exceeded its jurisdiction in preventing appellant from filing documents collaterally attacking his judgment of conviction. Similarly, the failure to file a post-conviction petition for a writ of habeas corpus submitted by appellant may be challenged in an original petition for a writ of mandamus. See NRS 34.160; NRAP 21.

cc: Hon. Doug Smith, District Judge
William Carl Misiewicz
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk