

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAIMON MONROE,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 62789

FILED

APR 18 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY H. Anger
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from a decision determining appellant to be a vexatious litigant. Eighth Judicial District Court, Clark County; Douglas W. Herndon, Judge.

Because no statute or court rule permits an appeal from a vexatious litigant determination 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.

H. Hardesty, J.
Hardesty

P. Parraguirre, J.
Parraguirre

C. Cherry, J.
Cherry

¹It appears that if any remedy from the vexatious litigant determination 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 has 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. Douglas W. Herndon, District Judge
Daimon Monroe
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk