

IN THE SUPREME COURT OF THE STATE OF NEVADA

JIM KELLY BUSBY,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
CAROLYN ELLSWORTH, DISTRICT
JUDGE,

Respondents,

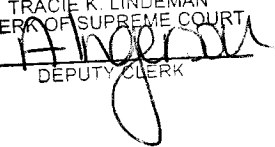
and

THE STATE OF NEVADA,
Real Party in Interest.

No. 62823

FILED

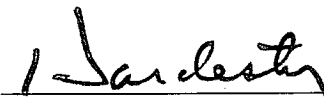
APR 10 2013


TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

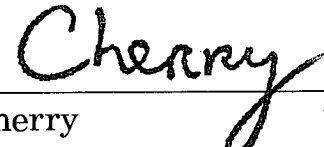
ORDER DENYING PETITION

This original petition for a writ of mandamus challenges a district court decision striking petitioner's errata and reply to the State's motion to dismiss petitioner's post-conviction petition for a writ of habeas corpus. Having considered the petition and appendix, we are not satisfied that this court's intervention by way of extraordinary writ is warranted because petitioner may challenge the district court's intermediate ruling by way of an appeal from the denial of his post-conviction petition. See NRS 34.170 (providing that writ of mandamus will not issue if petitioner has adequate remedy in ordinary course of law). Accordingly, we deny the petition. See NRAP 21(b).

It is so ORDERED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Cherry

cc: Hon. Carolyn Ellsworth, District Judge
Law Offices of Al Lasso, LLC
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk