

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 35848

RANDAL N. WIIDEMAN,

Petitioner,

vs.

NEVADA COMMISSION ON ETHICS, AND
NEVADA ATTORNEY GENERAL/SOLICITOR
GENERAL, AND WILLIAM BARKS AND
JOHN LEONHARDT, PUBLIC EMPLOYEES,

Respondents.

FILED

APR 26 2000

BY *J. Brubaker*
JANETTE M. BLOOM
CLERK OF COURT
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

This is a proper person petition for a writ of prohibition asking that this court order the Attorney General's office not to represent individual public employees in proceedings before the Ethics Commission. We have considered this petition for a writ of prohibition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991). We note that the petition fails to comply with the procedural requirements for a petition for extraordinary relief. See NRAP 21. In addition, petitioner has not asserted facts that demonstrate that he has standing to challenge the Attorney General's practices in this matter. See Fick v. Fick, 109 Nev. 458, 462, 851 P.2d 445, 448 (1989) (concluding that one who incurred no injury on his own behalf lacked standing to assert alleged injury to another); Szilagyi v. Testa, 99 Nev. 834, 838, 673 P.2d 495, 498 (1983) ("A 'real party in interest'

under NRCP 17(a) is one who possesses the right to enforce the claim and has a significant interest in the litigation. The question of standing is similar; it also focuses on the party seeking adjudication rather than on the issues sought to be adjudicated." (citations and footnote omitted); Phillips v. City of Reno, 92 Nev. 563, 554 P.2d 740 (1976) (holding that appellants did not have standing to challenge annexation by the city, where their property was not in the annexed area, nor bordering it, and thus they had no legally cognizable interest). Accordingly, we deny the petition.

It is so ORDERED.¹

<u>Young</u> Young	J.
<u>Agosti</u> Agosti	J.
<u>Leavitt</u> Leavitt	J.

¹We note that petitioner has failed to pay the filing fee required by NRS 2.250(1)(a). Although petitioner submitted a motion for leave to appear in forma pauperis to this court pursuant to NRAP 24, NRAP 24 applies to appeals from district court actions. We conclude that petitioner has not demonstrated good cause to waive the filing fee. This constitutes an independent basis on which to deny the petition. See NRAP 21(e). Although petitioner was not granted leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents received from petitioner.

cc: Nevada Commission on Ethics
Attorney General
Randal N. Wiideman