

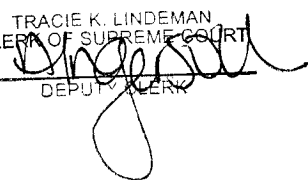
IN THE SUPREME COURT OF THE STATE OF NEVADA

WILLIAM JAMES GARDNER,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
ADRIANA ESCOBAR, DISTRICT  
JUDGE,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 63666

FILED

NOV 13 2013

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION*

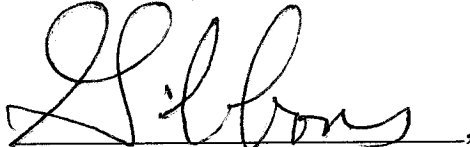
This is a proper person petition for a writ of mandamus. Petitioner seeks an order from this court directing the district court to rule on his petition which was originally filed on March 22, 2012 in the Fifth Judicial District Court, and was transferred to the Eighth Judicial District Court on July 31, 2012. Having reviewed the petition, this court on August 29, 2013, ordered the State to respond to the petition.<sup>1</sup> In response, the State explains that the petition had been mistakenly filed as an order rather than as a petition and thus no action had been taken on it. The State informs this court that the court clerk corrected this mistake on October 2, 2013, and the district court filed an order requesting an answer

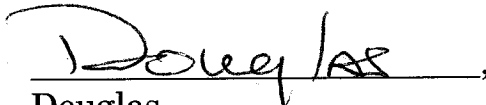
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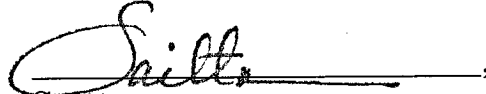
<sup>1</sup>On October 4, 2013, the State filed a motion to file a late response. Cause appearing, we grant the State's motion. The clerk shall file the answer received on October 7, 2013.

from the State and set an evidentiary hearing for November 21, 2013. It appears that now that the mistake has been corrected, the district court is actively working towards a resolution in this case and our intervention is unnecessary. Accordingly, we

ORDER the petition DENIED.

 , J.  
Gibbons

 , J.  
Douglas

 , J.  
Saitta

cc: Hon. Adriana Escobar, District Judge  
William James Gardner  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk