

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 36133

JOHN RUSSELL SEWALD,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR
THE COUNTY OF CLARK, AND THE
HONORABLES NANCY M. SAITTA AND LEE
A. GATES, DISTRICT JUDGES,

Respondents,

and

OPPORTUNITY VILLAGE ARC, INC.,

Real Party in Interest.

FILED

JUN 14 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Sewald*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

This original proper person petition for a writ of prohibition challenges Chief Judge Gates' denial of petitioner's motion to disqualify Judge Saitta for actual bias or prejudice, and various actions and rulings by Judge Saitta.

We have considered the petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. Chief Judge Gates did not exceed his jurisdiction or manifestly abuse his discretion by denying the motion to disqualify, and petitioner may appeal Judge Saitta's rulings when a final judgment has been entered in the underlying action. Accordingly, we deny

the petition. See NRAP 21(b); NRS 1.235; NRS 34.330; Smith v. District Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991).

It is so ORDERED.¹

Maupin J.
Maupin

Shearing J.
Shearing

Becker J.
Becker

cc: Hon. Lee A. Gates, Chief District Judge
Hon. Nancy M. Saitta, District Judge
Pyatt & Silvestri
John Russell Sewald
Clark County Clerk

¹We deny petitioner's motion for leave to proceed in proper person, see NRAP 46(b); however, we have considered the proper person documents received from him.