

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN SAMUEL BRAUNSTEIN,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
MICHAEL VILLANI, DISTRICT
JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 68648

FILED

SEP 10 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

*ORDER DENYING PETITION AND REFERRING
PETITIONER FOR FORFEITURE OF CREDITS
PURSUANT TO NRS 209.451*

This is a pro se petition for a “writ of mandamus to quash information (and) motion to transfer case to different department judge due to illegal, unconstitutional actions.” Petitioner challenges the validity of the trial court’s dismissal of redundant convictions. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims raised therein, we decline to exercise original jurisdiction in this matter. See NRS 34.160; NRS 34.170. To the extent petitioner seeks a transfer of his district court case, relief is not warranted.

Petitioner has raised the same underlying issue in at least eight other original filings in this court.¹ Petitioner was cautioned in *Braunstein v. Eighth Judicial Dist. Court*, Docket Nos. 63270, 63411 (Order Denying Petitions, July 24, 2013), that statutory credits may be forfeited pursuant to NRS 209.451 if he continues to file frivolous documents in a civil action. Repeatedly raising the same issue constitutes frivolous action, and mandamus is a civil action. Further, petitioner has already been twice referred for the forfeiture of credits.²

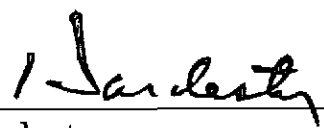
We have repeatedly informed petitioner that his continuous stream of filings is an abuse of judicial resources, and we conclude that the inclusion of the repetitive and unwarranted claims in the instant petition

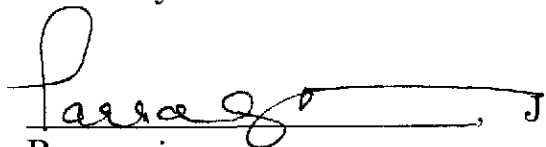
¹*Braunstein v. Eighth Judicial Dist. Court*, Docket No. 65059 (Order Denying Petition and Referring Petitioner for Forfeiture of Credits Pursuant to NRS 209.451, May 13, 2014); *Braunstein v. Eighth Judicial Dist. Court*, Docket No. 64136 (Order Denying Petition and Referring Petitioner for Forfeiture of Credits Pursuant to NRS 209.451, November 14, 2013); *Braunstein v. Eighth Judicial Dist. Court*, Docket Nos. 63270, 63411 (Order Denying Petitions, July 24, 2013); *Braunstein v. Eighth Judicial Dist. Court*, Docket No. 62546 (Order Denying Petition, March 8, 2013); *Braunstein v. Eighth Judicial Dist. Court*, Docket No. 57751 (Order Denying Petition, April 4, 2011); *Braunstein v. Eighth Judicial Dist. Court*, Docket No. 54122 (Order Denying Petition, August 24, 2009); *Braunstein v. Eighth Judicial Dist. Court*, Docket No. 53127 (Order Denying Petition, February 4, 2009); *Braunstein v. State*, Docket No. 40018 (Order Denying Petition, August 22, 2002).

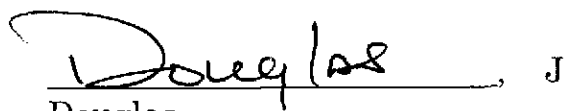
²*Braunstein v. Eighth Judicial Dist. Court*, Docket No. 65059 (Order Denying Petition and Referring Petitioner for Forfeiture of Credits Pursuant to NRS 209.451, May 13, 2014); *Braunstein v. Eighth Judicial Dist. Court*, Docket No. 64136 (Order Denying Petition and Referring Petitioner for Forfeiture of Credits Pursuant to NRS 209.451, November 14, 2013).

constitutes an improper purpose.³ Therefore, we refer this matter to the Director of the Department of Corrections to determine what forfeiture, if any, is warranted. See NRS 209.451(3). Accordingly, we

ORDER the petition DENIED and REFER this matter to the Director of the Department of Corrections.


_____, C.J.
Hardesty


_____, J.
Parraguirre


_____, J.
Douglas

cc: Hon. Michael Villani, District Judge
Steven Samuel Braunstein
Attorney General/Carson City
Director, Department of Corrections
Clark County District Attorney
Eighth District Court Clerk

³See *Braunstein v. Eighth Judicial Dist. Court*, Docket No. 65059 (Order Denying Petition and Referring Petitioner for Forfeiture of Credits Pursuant to NRS 209.451, May 13, 2014); *Braunstein v. Eighth Judicial Dist. Court*, Docket No. 64136 (Order Denying Petition and Referring Petitioner for Forfeiture of Credits Pursuant to NRS 209.451, November 14, 2013).