IN THE SUPREME COURT OF THE STATE OF NEVADA

DANNY L. HUGHES,

Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR
THE COUNTY OF WASHOE, AND THE
HONORABLE NORMAN C. ROBISON,
SENIOR DISTRICT JUDGE,

Respondents,

and

VIVIAN E. LYNCH AND DAVID
HAMILTON,

Real Parties in Interest.

No. 36363

FILED

AUG 1 1 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY _____
CHIEF DEPUTY CLERK

ORDER DENYING PETITION

This is an original proper person petition for
assignment of a new judge, or in the alternative, that this
court hear petitioner's case. We construe the petition as one
seeking a writ of mandamus compelling disqualification of the
district judge.[1] The petition contains no facts demonstrating
that the district judge should be disqualified, only
conclusory allegations that the district judge is biased. In
addition, it appears that petitioner has not followed the
procedure for seeking disqualification of a judge set forth in
NRS 1.235, and that any such petition at this time would be
untimely. Finally, we note that petitioner failed to serve
the petition upon the respondent judge, in violation of NRAP
21(a).

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[1]We note that petitioner's alternative request seeks
relief that is not available in this court. See Round Hill
Gen. Imp. Dist. v. Newman, 97 Nev. 601, 637 P.2d 534 (1981)
(noting that an appellate court is not an appropriate forum in
which to resolve disputed questions of fact).

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We are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. Accordingly, we deny the petition. <u>See</u> NRAP 21(b); State ex rel. Dep't Transp. v. Thompson, 99 Nev. 358, 662 P.2d 1338 (1983).

It is so ORDERED.[2]

_____, J.
Maupin

_____, J.
Shearing

_____, J.
Becker

cc: Hon. Norman C. Robison, Senior District Judge
     Wait & Shaffer
     Erickson Thorpe & Swainston, Ltd.
     McKissick Van Walraven & Harris
     McDonald Carano Wilson McCune Bergin Frankovich & Hicks
     Danny L. Hughes
     Washoe County Clerk

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[2]We direct the clerk of this court to amend the caption on this court's docket so that it is consistent with the caption on this order.

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