

IN THE SUPREME COURT OF THE STATE OF NEVADA

NEVADA EX REL. JOHN FRANCIS
ARPINO,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE; AND THE HONORABLE
BARRY L. BRESLOW, DISTRICT
JUDGE,
Respondents.

No. 77632

FILED

JAN 31 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF PROHIBITION

This original pro se petition for a writ of prohibition challenges the district court's ability to enforce an April 13, 2016, vexatious litigant order and asks that the order be removed and stricken from the record.¹

Having considered the petition and supporting documents, we are not persuaded that our extraordinary and discretionary intervention is

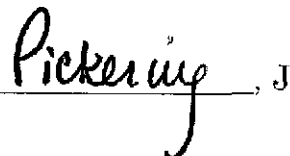
¹Petitioner has filed documents seeking correction of the caption and file-stamped copies of his petition and attachments. Although the State does not appear to bear an interest in this matter, neither any statute nor any court rule requires writ petitions to be captioned in the name of the State, and it is no longer "the universal rule of practice" to caption petitions such, we direct the clerk of this court to modify this docket's caption to reflect the caption on the petition and this order. *Cf. State v. District Court*, 51 Nev. 206, 273 P. 659, 660 (1929); *State v. Curler*, 26 Nev. 347, 67 P. 1075, 1076 (1902), 55 C.J.S. Mandamus § 339 (2015); 72A C.J.S. Prohibition § 10 (2015). The clerk of this court shall also mail petitioner a file-stamped copy of his petition and attachments.

warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 679, 818 P.2d 849, 851, 853 (1991); see *Arpino v. Washoe Cty. Bd. of Comm'rs*, Docket Nos. 70429-COA & 70494-COA (January 30, 2017, Order of Affirmance). Accordingly, we

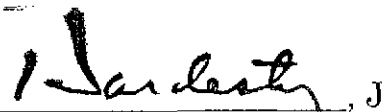
ORDER the petition DENIED.



Gibbons



Pickering



Hardesty

cc: Hon. Barry L. Breslow, District Judge
John Francis Arpino
Attorney General/Carson City
Washoe District Court Clerk