

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN KERRY O'KEEFE,
Petitioner,
vs.
CLERK OF THE COURT SUPREME
COURT, STATE OF NEVADA;
ELIZABETH A. BROWN; AND
AMANDA INGERSOLL,
Respondents.

No. 78246

FILED

APR 05 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This is an original petition for a writ of mandamus challenging respondents' failure to issue a writ of mandamus in *O'Keefe v. Clerk of the Nevada Supreme Court*, Docket No. 77228.


In Docket No. 77228, this court on January 18, 2019, entered an "Order Granting Petition," in which this court agreed with petitioner that remittitur should issue in another case and directed the appellate court clerk to issue remittitur in that case without further delay. Remittitur issued in that other case that same day. *See O'Keefe v. Dist. Court*, Docket No. 74598 (Remittitur, January 18, 2019). Having granted petitioner the relief he sought, at no point in the January 18 order did this court direct the clerk to issue a writ of mandamus. When petitioner thereafter filed a motion seeking issuance of a formal writ of mandamus, this court entered a February 19, 2019, order construing the motion as a petition for rehearing in Docket No. 77228. That rehearing petition was later denied.

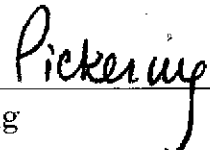
Petitioner now asserts that the February 19 order granted him relief and that he is entitled to have a formal writ of mandamus issue in Docket No. 77228. Petitioner misunderstands our orders. In Docket No. 77228, petitioner was granted the relief his petition for a writ of mandamus

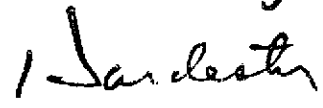
19-14929

ultimately sought—that remittitur issue forthwith. Because this court has supervisory authority over the clerk and the clerk's NRAP 41 duties, *see* NRAP 41 (noting that the clerk of court issues the remittitur), there was no need to direct that mandamus issue, and none did. Accordingly, as petitioner is not entitled to issuance of a formal writ of mandamus in Docket No. 77228, we decline to exercise our discretion to further consider this matter and

ORDER the petition DENIED.


_____, C.J.
Gibbons


_____, J.
Pickering


_____, J.
Hardesty

cc: Brian Kerry O'Keefe
Attorney General/Carson City