

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

GARY E. MCKINLEY,  
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK,

Respondent,

and

CLARK COUNTY DISTRICT  
ATTORNEY; CITY OF HENDERSON  
POLICE DEPARTMENT; AND THE  
STATE OF NEVADA,  
Real Parties in Interest.

No. 78909-COA

**FILED**

**JUN 25 2019**

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

*ORDER DENYING PETITION*


This original petition for a writ of mandamus seeks an order directing the Clark County District Attorney's Office, including the witness/victim assistance center, and the Henderson Police Department to provide discovery to Gary E. McKinley. McKinley asserts the district court has previously ordered the production of discovery and these entities have not provided all discovery to him.

We have considered the petition, and we are not satisfied this court's intervention by way of extraordinary writ is warranted at this time. *See* NRS 34.160; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) ("Petitioner[ ] carr[ies] the burden of demonstrating that extraordinary relief is warranted."). McKinley should seek enforcement of a district court order in the district court. We note, in the April 23, 2019, district court minutes McKinley provided with his petition,

the district court ordered McKinley to "submit a supplemental pleading numbered of any additional things requested." McKinley does not allege he filed a supplemental pleading in which he specifically identified any additional documents he needs. And to the extent he may have filed such a supplemental pleading, he does not allege or demonstrate the district court has denied any such request. Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Michael P. Villani, District Judge  
Gary E. McKinley  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk