

IN THE SUPREME COURT OF THE STATE OF NEVADA

JUAN MONTES,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 72117

**FILED**

MAR 06 2017

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

*ORDER DISMISSING APPEAL*

This is an appeal from a district court order dismissing an appeal from an order entered by the justice court. Eighth Judicial District Court, Clark County; Kerry Louise Earley, Judge.

We previously directed appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. We explained that appellant's case arose in the justice court and the district court has final appellate jurisdiction over a case arising in the justice court. In response to our order, appellant does not dispute that this court lacks jurisdiction. Instead, appellant states that he seeks a writ of mandamus.


We conclude that we lack jurisdiction and order this appeal dismissed. Nev. Const. art 6, § 6 (the district courts have final appellate jurisdiction in cases arising in justice courts); *Waugh v. Casazza*, 85 Nev. 520, 458 P.2d 359 (1969). We decline to treat appellant's response to our

order to show cause as a petition for a writ of mandamus. Appellant may file a petition in compliance with NRAP 21, if deemed warranted.

It is so ORDERED.

  
\_\_\_\_\_, J.  
Douglas

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

  
\_\_\_\_\_, J.  
Pickering

cc: Hon. Kerry Louise Earley, District Judge  
Clark County Public Defender  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk  
Juan Montes