

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDWARD SETH TRZASKA,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF CLARK,
Respondent,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 71969

FILED

JAN 12 2017

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

ORDER DENYING PETITION

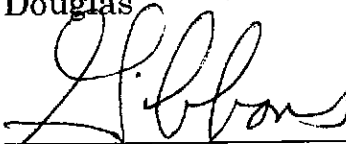
This original petition seeks a writ of mandamus directing the district court clerk to provide petitioner with copies of the transcripts for the proceedings conducted on June 11, 2014; June 25, 2014; and August 11, 2014, and the compact disk exhibit admitted at the June 11, 2014, hearing. Petitioner suggests that the district court clerk had a duty to provide the transcripts and exhibit to petitioner based on an order entered on October 11, 2016. The referenced order was entered by the Court of Appeals in Docket No. 70101. Contrary to petitioner's interpretation, that order did not direct that the transcripts and exhibit be provided to petitioner without charge; instead, the order directed the clerk to transmit the transcripts and exhibit to the Court of Appeals to aid in that court's review of petitioner's pending appeal in Docket No. 70101.¹ It further appears that the district court order to proceed in forma pauperis, entered

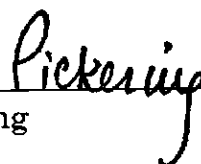
¹We note that the Court of Appeals recently entered its decision in Docket No. 70101.

on March 10, 2016, and provided as an exhibit to the petition, only applies to filing fees and service; it does not address the transcripts and exhibit identified in this original petition. Thus, to the extent that petitioner seeks transcripts and exhibits at state expense our intervention is not warranted because petitioner must seek that relief in the district court in the first instance. See *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 220, 228, 88 P.3d 840, 844 (2004) ("Petitioner[] carr[ies] the burden of demonstrating that extraordinary relief is warranted."); *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981) (explaining circumstances in which mandamus is available). Accordingly, we

ORDER the petition DENIED.


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Pickering

cc: Edward Seth Trzaska
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk