

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

TIYACTE HARRIS,
Petitioner,
vs.
THE HONORABLE DOUGLAS W.
HERNDON, DISTRICT JUDGE,
Respondent.

No. 72788

FILED

MAY 16 2017

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

ORDER DENYING PETITION

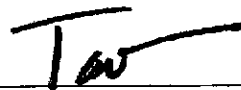
This original petition for a writ of mandamus seeks an order directing respondent to grant petitioner's motion for transcripts at State expense and petitioner's motion to compel discovery. Petitioner states he filed an amended petition for a writ of habeas corpus and a motion to compel discovery in the district court on January 9, 2017, which the district court denied on January 24, 2017, for being untimely filed. Petitioner informs this court he has appealed the denial of his amended petition for a writ of habeas corpus and he asserts he will not be able to adequately prepare his appeal unless this court compels respondent to provide him with transcripts and grant his motion for discovery. Petitioner does not identify which transcripts he is seeking.


We have considered the petition on file herein, and we are not satisfied this court's intervention by way of extraordinary writ is warranted at this time. Accordingly, without deciding upon the merits of any claims raised therein, we deny the petition. *See* NRAP 21(b)(1); *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."); *Round Hill Gen. Imp. Dist. v. Newman*, 97 Nev. 601,

603-04, 637 P.2d 534, 536 (1981) (explaining when mandamus relief is warranted). We note, it appears petitioner can challenge the denial of his motion to compel discovery on appeal from the order denying his amended petition for a writ of habeas corpus. See NRS 177.045. Therefore, we

ORDER the petition DENIED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Tiyacte Harris
Attorney General/Carson City
Eighth District Court Clerk