

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

VERNELL RAY EVANS,
Petitioner,
vs.
THE STATE OF NEVADA; AND JO
GENTRY, WARDEN SDCC,
Respondents.

No. 72406

FILED

APR 18 2017

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

ORDER DENYING PETITION

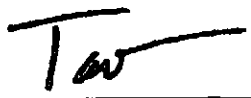
This is an original petition for a writ of mandamus and/or prohibition. Petitioner states that in September 2016 the district court denied his NRCP Rule 60(b) motion and the Nevada Supreme Court subsequently dismissed his appeal from the denial of that motion after finding it lacked jurisdiction to consider the appeal. Petitioner asks this court to find that both the district court and the Nevada Supreme Court “were mistaken and it is debatable that both the above courts’ decisions were a fundamental miscarriage of justice.”

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; NRS 34.320; NRAP 21(b); *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.”). Accordingly, without deciding upon the merits of any claims raised therein, we

ORDER the petition DENIED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Vernell Ray Evans
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk