

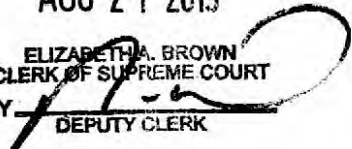
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JAMES THEODORE SHARKEY,  
Petitioner,  
vs.  
JUSTICE COURT, LAS VEGAS  
TOWNSHIP; AND MELISA DE LA  
GARZA, JUSTICE OF THE PEACE,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 79115-COA

**FILED**

AUG 21 2019

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DENYING PETITION*


In this original petition for a writ of mandamus and/or prohibition, James Theodore Sharkey asks this court to order respondent Judge De La Garza to withdraw the guilty plea he previously entered in justice court case number 14M09170X. Sharkey states that, although he is not in custody pursuant to this conviction, he is attempting to challenge the validity of this conviction because it has been used as a prior conviction to enhance his current offense to a felony. Sharkey asserts Judge De La Garza will not order a hearing or enter a final judgment on his pleadings from which he can appeal.

We have considered all documents filed in this matter, and we are not satisfied this court's intervention by way of extraordinary writ is warranted at this time. *See* NRS 34.160; NRS 34.170; NRS 34.320; NRS 34.330; *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, we

ORDER the petition DENIED.

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

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

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

cc: Melisa De La Garza, Justice of the Peace  
James Theodore Sharkey  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk