

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DUSTON MILLER, A/K/A DUSTIN  
MILLER,  
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. 79619-COA

**FILED**

NOV 27 2019

ELIZABETH L. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION*


In this original petition for a writ of mandamus, Duston Miller seeks an order directing the district court to (1) comply with its December 24, 2018, order granting Miller's request for copies of his trial and sentencing transcripts and provide him with copies of those transcripts; and (2) enforce its June 11, 2018, and February 27, 2019, orders directing Miller's former counsel to provide Miller with a copy of his case file. We directed respondent to file an answer.

Respondent has demonstrated that Miller's first issue has been resolved because copies of the transcripts have now been provided to Miller. Respondent has also demonstrated that it has addressed Miller's second issue by issuing an order to show cause to Miller's former counsel. In light of respondent's answer and accompanying documents, we conclude this

court's intervention by way of extraordinary writ is not warranted at this time. See NRS 34.160. Therefore, we

ORDER the petition DENIED.

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

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

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

cc: Hon. Kathleen E. Delaney, District Judge  
Duston Miller  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk