

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

THOMAS MATTHEW SUPRANOVICH,
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.

THOMAS MATTHEW SUPRANOVICH,
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. 80063-COA ✓

FILED

DEC 27 2019

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

No. 80064-COA

ORDER DENYING PETITIONS

In these two identical original petitions for a writ of mandamus and/or prohibition, Thomas Matthew Supranovich seeks an order directing the district court to order the Clark County Public Defender's Office (CCPD) to provide him with a number of materials. Supranovich asserts the district court has previously granted his motion for the production of documents, papers, pleadings, and tangible property, but the CCPD has not provided him with everything he requested. Supranovich also asserts that he sought a motion to compel the CCPD to provide him the materials, but the district

court denied the motion based on a certificate of service the CCPD filed with the district court that claims the CCPD provided him with his entire file.

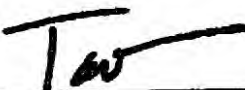
A writ of mandamus is available to compel the performance of an act which the law requires as a duty resulting from an office, trust, or station, NRS 34.160, or to control a manifest abuse or arbitrary or capricious exercise of discretion, *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981). A writ of prohibition may issue to arrest the proceedings of a district court exercising its judicial functions, when such proceedings are in excess of the jurisdiction of the district court. NRS 34.320. Neither writ will issue if the petitioner has a plain, speedy and adequate remedy in the ordinary course of law. NRS 34.170; NRS 34.330. Petitions for extraordinary writs are addressed to the sound discretion of the court, *see State ex rel. Dep't of Transp. v. Thompson*, 99 Nev. 358, 360, 662 P.2d 1338, 1339 (1983), and the “[p]etitioner[] carr[ies] the burden of demonstrating that extraordinary relief is warranted,” *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).

In support of his petition, Supranovich has attached a copy of the inventory list that identifies the materials the CCPD provided to him. He also has attached a copy of a “List of materials from motion to compel which have yet to be relinquished.” Notably, however, he has not provided this court with a file-stamped copy of the motion for the production of documents that was granted by the district court. Therefore, we cannot determine if he previously sought the materials he is now seeking. Further, although Supranovich has provided a list of materials he asserts have not been relinquished, the list is general in nature, and where he asserts the CCPD has only partially complied with the request, he does not specify what

additional items are missing. Finally, Supranovich does not appear to assert he has not received items listed in the inventory provided by the CCPD and he has not demonstrated that the CCPD has any of the materials he asserts have not been provided to him. Accordingly, we conclude Supranovich has failed to carry his burden and demonstrate this court's intervention by way of extraordinary writ is warranted at this time. Accordingly, we

ORDER the petitions DENIED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Joseph Hardy, Jr., District Judge
Thomas Matthew Supranovich
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk