

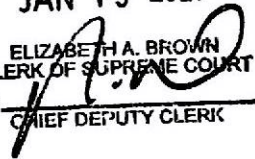
IN THE SUPREME COURT OF THE STATE OF NEVADA

TAMAS HORVATH,
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; CHARLES
DANIELS, DIRECTOR, NEVADA
DEPARTMENT OF CORRECTIONS;
AND PERRY RUSSELL, WARDEN,
Real Parties in Interest.

No. 82016

FILED

JAN 15 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

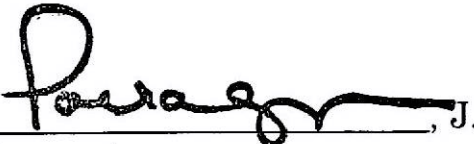
ORDER DENYING PETITION


This pro se petition for a writ of mandamus seeks to enforce a district court order that granted a petition for a writ of habeas corpus and directed the State to deliver petitioner to the custody of federal authorities. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims raised therein, we decline to exercise original jurisdiction in this matter. Petitioner should file a petition for a writ of mandamus challenging the actions of the real parties in interest in the district court in the first instance.¹ See *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 604, 637 P.2d 534, 536 (1981) (explaining that appellate court is not suited to resolve factual disputes and therefore will not exercise its discretion to entertain a mandamus petition when there are factual questions). He can then appeal from any adverse decision. See

¹We express no opinion as to the merits of any remedies pursued in the district court.

NRS 2.090(2) (providing that an order granting or refusing to grant mandamus is appealable). Accordingly, we

ORDER the petition DENIED.


_____, J.
Parraguirre


_____, J.
Stiglich


_____, J.
Silver

cc: Tamas Horvath
Attorney General/Carson City
Eighth District Court Clerk