

IN THE SUPREME COURT OF THE STATE OF NEVADA

BAILEY WILLOUGHBY,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,
Respondent.

No. 37799

FILED

JUL 14 2003

JANET L. BLOOM
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK


ORDER DENYING PETITION


This proper person petition for a writ of certiorari challenges proceedings in the district court related to the district court's order of September 21, 1998, granting the State's motion to dismiss a proper person petition for a writ of habeas corpus received by the State on July 29, 1998. Appellant's remedy, if any, is by way of an appeal from the district court's order of September 21, 1998.¹


¹It is unclear from the documents before this court whether the clerk of the district court ever served petitioner with notice of entry of the order of September 21, 1998. See NRS 34.575(1) (a petitioner may appeal to the supreme court from an order denying a petition for writ of habeas corpus within 30 days of service by the court of notice of entry of the order). If not, the time for filing a notice of appeal from that order may not have expired.

Therefore, we conclude that this court's intervention by way of extraordinary writ is not warranted at this time. Accordingly, we deny the petition.²

It is so ORDERED.


_____, J.
Shearing


_____, J.
Leavitt


_____, J.
Becker

cc: Bailey Willoughby
Attorney General Brian Sandoval/Carson City
Clark County Clerk

²We have considered the proper person documents received or filed in this matter and conclude that no relief is warranted.