

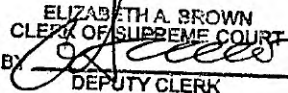
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JACK MICHAEL GERNERT,  
Petitioner,  
vs.  
THE ELEVENTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
MINERAL,  
Respondent.

No. 85166-COA

FILED

NOV 17 2022


ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

ORDER DISMISSING PETITION

In this original pro se petition for a writ of mandamus, Jack Michael Gernert seeks an order directing the clerk of the Eleventh Judicial District Court to file Gernert's postconviction habeas petition.

On September 13, 2022, we ordered the State to file an answer to Gernert's petition. The State informs this court that the clerk has since filed Gernert's postconviction petition and argues the instant petition is now moot. Having reviewed the State's response and the file-stamped copy of Gernert's postconviction petition that the State included with its response, we agree that the issue presented in this petition for a writ of mandamus is now moot, and this court's intervention by way of extraordinary relief is not warranted. *See Nat'l Collegiate Athletic Ass'n v. Univ. of Nev., Reno*, 97 Nev. 56, 58, 624 P.2d 10, 11 (1981). Accordingly, we

ORDER the petition DISMISSED.

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

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

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

cc: Jack Michael Gernert  
Attorney General/Carson City  
Mineral County District Attorney  
Clerk of the Court/Court Administrator