

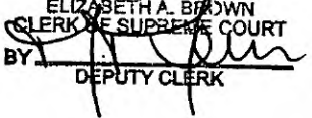
IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVEON KYREE HAYES,  
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. 85127

FILED

DEC 16 2022

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

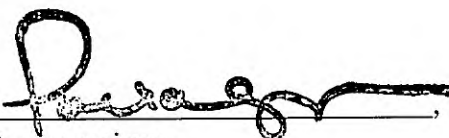
*ORDER DENYING PETITION*

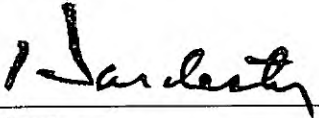
This is an original pro se petition for a writ of mandamus. In his petition, petitioner claims that his former counsel, Kenneth Frizzell, has failed to comply with a district court order directing him to provide petitioner with his case file. Petitioner claims that he subsequently filed a motion to compel the district court to again direct counsel to comply with the order, and he now asks this court in his petition to order the district court to grant his motion. Petitioner, however, has not provided this court with his motion. See NRAP 21(a)(4) (providing that petitioner shall submit an appendix containing all documents “essential to understand[ing] the matters set forth in the petition”). We further note that petitioner did not serve former counsel with notice of his petition.

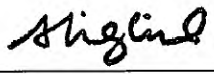
This court has original jurisdiction to issue writs of mandamus and the issuance of such extraordinary relief is within this court’s sole discretion. See Nev. Const. art. 6, § 4; *D.R. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). We conclude that petitioner has failed to demonstrate our intervention by extraordinary

writ is warranted. Therefore, we decline to exercise our original jurisdiction in this matter. See NRAP 21(b). Accordingly, we

ORDER the petition DENIED.<sup>1</sup>

  
\_\_\_\_\_, C.J.  
Parraguirre

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Stiglich

cc: Daveon Kyree Hayes  
Attorney General/Carson City  
Clark County District Attorney  
Kenneth Frizzell  
Eighth District Court Clerk

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<sup>1</sup>In light of our disposition of the petition, we additionally grant the State's "Motion for Clarification and/or Reconsideration of Order Directing Answer" and vacate our order filed on September 20, 2022, directing the State to file an answer.