

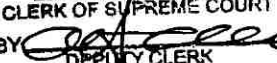
IN THE SUPREME COURT OF THE STATE OF NEVADA

JAVIER RICO-TORRES,
Petitioner,
vs.
THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE,
Respondent,
and,
THE STATE OF NEVADA,
Real Party in Interest.

No. 86073

FILED

FEB 24 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION

This original pro se petition seeks a writ of mandamus directing the district court to take action on a postconviction petition for a writ of habeas corpus, petition requesting a genetic marker analysis of evidence, motion to dismiss counsel, and motion to modify sentence.

A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station or to control an arbitrary or capricious exercise of discretion. *See* NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Whether a petition for extraordinary writ relief will be entertained rests within this court's sound discretion. *D.H. Horton, Inc. v. Eighth Judicial Dist. Court*, 123 Nev. 468, 474-75, 168 P.3d 731, 736-37 (2007). Petitioner bears 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). Further, it is petitioner's

responsibility to provide this court with all documents essential to understand the matters set forth in the petition. NRAP 21(a)(4).

Problematically, petitioner has not provided this court with exhibits or other documentation that would support his claims for relief. See NRAP 21(a)(4) (providing the petitioner shall submit an appendix containing all documents "essential to understand the matters set forth in the petition"). Accordingly, we

ORDER the petition DENIED.

Stiglich, C.J.
Stiglich

Cadish, J.
Cadish

Herndon, J.
Herndon

cc: Javier Rico-Torres
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk