

IN THE SUPREME COURT OF THE STATE OF NEVADA

JEANIST ADELL LINDSEY,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 86684

FILED

AUG 04 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

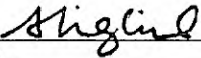
ORDER DENYING PETITION

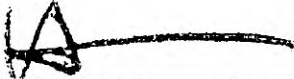
This original pro se petition for a writ of mandamus or prohibition complains that petitioner's postconviction habeas petition has been pending for several years without resolution.

We have reviewed the petition and answer. It appears that petitioner filed his postconviction habeas petition on November 28, 2011. On October 17, 2022, the district court held an evidentiary hearing, which the district court continued, ordering counsel to "speak with the Judicial Executive Assistant for a date." It appears that a hearing date has not been set. NRS 34.740 requires the district court to provide an expeditious examination of a postconviction petition for a writ of habeas corpus. We take this opportunity to remind the district court and counsel of this duty—particularly regarding setting this matter for a final evidentiary hearing.

Nevertheless, it appears that the instant petition was filed while petitioner was represented by counsel in the proceedings below and we caution petitioner that he should proceed by and through counsel. Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Stiglich


_____, J.
Herndon


_____, J.
Parraguirre

cc: Jeanist Adell Lindsey
Jean Schwartzer
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk