

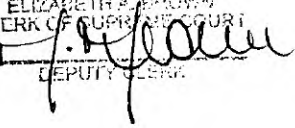
IN THE SUPREME COURT OF THE STATE OF NEVADA

ARINZA SMITH,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
ERIKA D. BALLOU, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 87805

FILED

JAN 27 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER REGARDING PETITION

On December 26, 2023, Arinza Smith filed in this court a pro se document labeled “notice of appeal,” stating that Smith appeals from a district court order denying or dismissing a petition for a writ of mandamus/prohibition. Attached to the document are November 7, 2023, minutes in Case No. A-23-877460-W, in which the district court advises that Smith’s writ petition would be denied. It appears that the district court’s written order denying the petition has since been entered.

As notices of appeal must be filed in the district court in the first instance, NRAP 4(a)(1), the document was construed and filed as an original petition for a writ of mandamus/prohibition. Upon further review, however, it appears that Smith is not seeking writ relief directly from this court, but rather this court’s review of the district court’s order denying such relief. NRAP 4(e) provides that a notice of appeal that is mistakenly filed in this court in the first instance is to be considered filed in the district court on the date it was received by this court. Accordingly, we direct the clerk of this court to send to the district court clerk the pro se document filed in this

court on December 26, 2023, and received on December 20, 2023.
Thereafter, this docket will be administratively closed.¹

It is so ORDERED.


_____, C.J.
Cadish

cc: Hon. Erika D. Ballou, District Judge
Arinza Smith
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

¹To the extent that Smith seeks writ relief from this court, such request is denied without prejudice.