

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRIAN KERRY O'KEEFE,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; STEVEN GRIERSON, CLERK
OF THE COURT; AND THE
HONORABLE JENNIFER L.
SCHWARTZ, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 88390

FILED

MAY 03 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

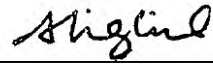
ORDER DENYING PETITION


In this original pro se petition for a writ of mandamus or, in the alternative, certiorari, Brian Kerry O'Keefe seeks a writ directing the district court to refile and consider his petition for a writ of coram vobis, which he contends the district court erroneously construed as a writ of coram nobis and took off calendar. First, as the court of appeals already stated in *O'Keefe v. State*, No. 86804-COA, 2023 WL 9053151 (Nev. Ct. App. Dec. 28, 2023) (Order of Affirmance), “[c]oram vobis is a counterpart to coram nobis and became more widely known as coram nobis in the United States.” *Trujillo v. State*, 129 Nev. 706, 710-11 & n.3, 310 P.3d 594, 597 & n.3 (2013). Thus, the district court properly treated O'Keefe's petition as a petition for a writ of coram nobis. Second, we have reviewed the petition and decline to exercise original jurisdiction in this matter. NRS 34.160; NRS 34.020; NRAP 21(b); *Pan v. Eighth Jud. Dist. Ct.*, 120 Nev. 222, 224, 228,

88 P.3d 840, 841, 844 (2004) ("Petitioner[] carries the burden of demonstrating that extraordinary relief is warranted."). Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Cadish


_____, J.
Stiglich


_____, J.
Herndon

cc: Hon. Jennifer L. Schwartz, District Judge
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk