

IN THE SUPREME COURT OF THE STATE OF NEVADA

CLEVELAND H. ARMSTRONG,

Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
WASHOE, AND THE HONORABLE  
STEVEN P. ELLIOTT, DISTRICT  
JUDGE,

Respondents,

and

THE STATE OF NEVADA,

Real Party in Interest.

No. 38393

**FILED**

NOV 20 2001

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richards*  
CHIEF DEPUTY CLERK

ORDER DENYING PETITION

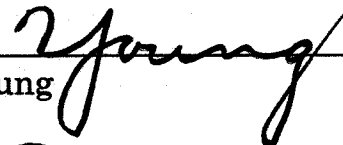
This is a proper person petition for a writ of mandamus or in the alternative a motion to set aside procedural defaults. Petitioner requests this court to direct the district court to set aside an order dismissing a habeas corpus petition filed in the district court. Petitioner further requests this court to set aside this court's prior order dismissing the appeal from the district court order dismissing his habeas corpus petition.<sup>1</sup> Petitioner argues that he was not provided sufficient opportunity to demonstrate good cause to excuse the delay in his habeas corpus petition.

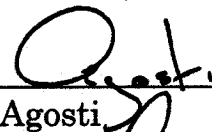
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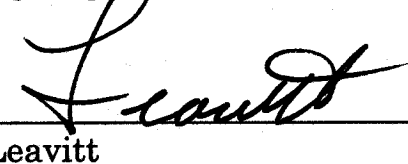
<sup>1</sup>See Armstrong v. State, Docket Nos. 33087, 34127 (Order Dismissing Appeals, August 16, 2000).

We have considered the petition on file herein, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time.<sup>2</sup> Accordingly, we

ORDER the petition DENIED.<sup>3</sup>

 \_\_\_\_\_, J.  
Young

 \_\_\_\_\_, J.  
Agosti

 \_\_\_\_\_, J.  
Leavitt

cc: Hon. Steven P. Elliott, District Judge  
Attorney General/Carson City  
Washoe County District Attorney  
Cleveland H. Armstrong  
Washoe County Clerk

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<sup>2</sup>See NRS 34.160; NRS 34.170.

<sup>3</sup>We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.