

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROME RICHARD CHACON,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
KATHY A. HARDCASTLE, DISTRICT
JUDGE,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 39149

FILED

FEB 14 2002

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

ORDER DENYING PETITION

This proper person petition for a writ of mandamus requests this court order the district court to act upon his 1995 habeas corpus petition, fine or hold the district court in contempt for failing to act on the petition as required by this court's previous order granting a petition for writ of mandamus, and appoint him counsel for an appeal.¹ 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.² It appears that the district court denied petitioner's petition and

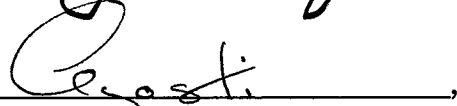
¹See Chacon v. State, Docket Nos. 33939, 36158 (Order Granting Petition for Writ of Mandamus and Order of Remand).


²See NRS 34.160; NRS 34.170.

that a written order was entered on January 10, 2001. Petitioner's legal remedy is by way of a timely appeal from that order.³ Accordingly, we

ORDER the petition DENIED.⁴

 J.
Young

 J.
Agosti

 J.
Leavitt

cc: Hon. Kathy A. Hardcastle, District Judge
Attorney General/Carson City
Clark County District Attorney
Rome Richard Chacon
Clark County Clerk

³See NRS 34.575.

It is unclear from the documents before this court whether the district court clerk properly served notice of entry of the January 10, 2001 order denying the petition. If the district court clerk did not properly serve notice of entry of the order as required by NRS 34.830, petitioner may still timely appeal the January 10, 2001 decision.

⁴We have considered all proper person documents filed or received in this matter, and we conclude that the relief requested is not warranted.