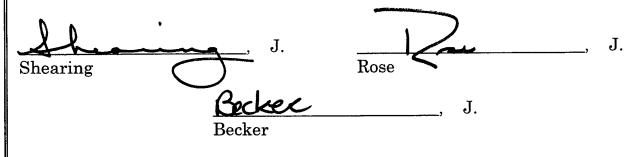
## IN THE SUPREME COURT OF THE STATE OF NEVADA

MERILYN SELF, Detition om	No. 39234
Petitioner, vs.	
THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,	
IN AND FOR THE COUNTY OF	MAY 15 2002
CLARK, AND THE HONORABLE SHIRLEY B. PARRAGUIRRE, CLARK	WINT TO LOOL
COUNTY CLERK,	BY CHIEF DEPUTY CLERK
Respondents.	

## ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original petition for a writ of mandamus challenges the Clark County Clerk's Office's refusal to retroactively file a complaint accompanied by an insufficient filing fee as of the date of its receipt. We have considered this petition and the answer thereto, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time.<sup>1</sup> Accordingly, we

ORDER the petition DENIED.



<sup>1</sup>At this juncture, there is no indication that a motion to dismiss petitioner's action has been filed, or that the district court would grant such a motion despite the circumstances surrounding the late filing of petitioner's complaint. We conclude that appropriate relief from application of the statute of limitations should first be sought in the district court. Further, if petitioner's action is ultimately dismissed by the district court based on limitations ground, an appeal appears an adequate remedy. See NRS 34.170; Hickey v. District Court, 105 Nev. 729, 782 P.2d 1336 (1989); see also NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

SUPREME COURT ŌF NEVADA

(O) 1947A

cc: Hon. Shirley B. Parraguirre, Clark County Clerk Karla K. Butko Clark County District Attorney/Civil Division

SUPREME COURT OF NEVADA

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