

IN THE SUPREME COURT OF THE STATE OF NEVADA

RUSSELL COHEN,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,
Respondent.

No. 41614

FILED

SEP 05 2003

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

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original proper person petition for a writ of mandamus asks this court to compel the district court clerk to mail file-stamped copies of petitioner's court filings to him, rather than give them to petitioner's mother, who files documents for him, so that she can mail them to petitioner. Petitioner is an inmate at Ely State Prison, and contends that prison officials open mail from his mother, even if it is marked as legal and confidential, but that they would not open mail from the court.¹

We have considered this petition, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted at this time. In particular, it appears that petitioner's difficulties lie with

¹Petitioner also challenges the district court clerk's refusal to file discovery documents submitted by him. We note that discovery documents are generally not filed. See generally NRCP 26-37 (requiring only service, not filing, of discovery requests and responses).

the prison's mail policies, not the actions of the district court clerk. Accordingly, we deny the petition.²

It is so ORDERED.³

Becker, J.
Becker

Shearing, J.
Shearing

Gibbons, J.
Gibbons

cc: Hon. Valerie Adair, District Judge
Russell Cohen
Clark County District Attorney David J. Roger
Clark County Clerk

²See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).

³Although petitioner was not granted leave to file papers in proper person, see NRAP 46(b), we have considered the proper person documents received from him. We conclude that the filing fee should be waived in this matter. See NRAP 21(e).