

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARK BENNISH,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
MICHAEL L. DOUGLAS, DISTRICT
JUDGE,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 41871

FILED

AUG 20 2003

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

ORDER DENYING PETITION

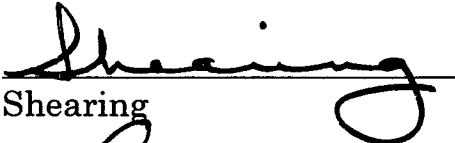
This original petition for a writ of mandamus seeks an order of this court directing the district court to grant petitioner's motion below to proceed in forma pauperis.


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. Specifically, we note that NRAP 24(a) provides petitioner with an adequate alternate remedy in the ordinary course of

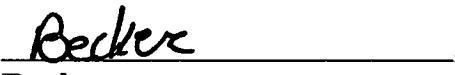
law. Under NRAP 24(a), if the district court denies the motion pending below, the district court must enter a written order stating the reasons for the denial. Petitioner may then file a motion to proceed in forma pauperis in this court in the context of the pending appeal in Docket No. 40015. The motion must be accompanied by a copy of the affidavit of indigence filed below and the district court's written order denying the motion to proceed in forma pauperis.

Accordingly, we

ORDER the petition DENIED.


_____, J.
Shearing


_____, J.
Leavitt


_____, J.
Becker

cc: Hon. Michael L. Douglas, District Judge
Herbert Sachs
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk