

IN THE SUPREME COURT OF THE STATE OF NEVADA

GEORGE W. LUSTER, JR.,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE JOHN
S. MCGROARTY, DISTRICT JUDGE,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 42811

FILED

MAR 05 2004

JANETTE M. BLICKM
CLERK OF SUPREME COURT

BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION

This is a proper person petition for a writ of mandamus. Petitioner seeks an order declaring the district court in contempt of this court's prior order remanding a post-conviction matter for an evidentiary hearing.¹ Petitioner complains that the district court has delayed too long in conducting an evidentiary hearing pursuant to this court's order of remand. 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 We are confident that the district court will

¹See Luster v. State, Docket No. 37939 (Order of Reversal and Remand, August 22, 2002).


²See NRS 34.160; NRS 34.170.

resolve all matters pending before it as expeditiously as the court's calendar permits. Accordingly, we

ORDER the petition DENIED.

 C.J.
Shearing

 J.
Rose

 J.
Maupin

cc: Hon. John S. McGroarty, District Judge
George W. Luster Jr.
Attorney General Brian Sandoval/Carson City
Clark County District Attorney David J. Roger
Clark County Clerk