IN THE SUPREME COURT OF THE STATE OF NEVADA

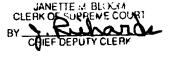
GEORGE W. LUSTER, JR., Petitioner, vs. THE EIGHTH JUDICIAL DISTRICT

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

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ORDER DENYING PETITION

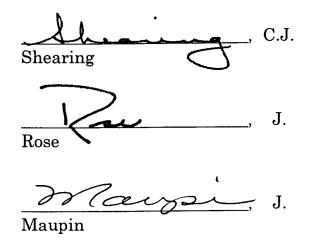
This is a proper person petition for a writ of mandamus. Petitioner seeks an order declaring the district court in contempt of this court's prior order remanding a post-conviction matter for an evidentiary hearing.¹ Petitioner complains that the district court has delayed too long in conducting an evidentiary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

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

²<u>See</u> NRS 34.160; NRS 34.170.

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

ORDER the petition DENIED.



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

JPREME COURT OF NEVADA

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