

IN THE SUPREME COURT OF THE STATE OF NEVADA

GARY E. MCKINLEY,
Petitioner,

vs.

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

Respondent,
and

CLARK COUNTY DISTRICT
ATTORNEY; HENDERSON POLICE
DEPARTMENT; AND THE STATE OF
NEVADA DEPARTMENT OF
CORRECTIONS,
Real Parties in Interest.

No. 82175

FILED

FEB 08 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION AND AMENDED PETITION

This original pro se petition and amended petition for a writ of mandamus seek an order directing the real parties in interest to (1) comply with certain subpoenas and discovery requests, (2) allow and assist petitioner to electronically file documents and review discovery, (3) provide petitioner audio/video equipment to participate in district court hearings, and (4) permit petitioner to keep boxes of legal documents in his prison cell.

Petitioner has not provided this court with all of the exhibits or other documentation that would support his claims for relief. See NRAP 21(a)(4) (providing the petitioner shall submit an appendix containing all documents "essential to understand the matters set forth in the petition").

Thus, we are not persuaded that petitioner has met his burden to show that our extraordinary intervention is warranted. See NRS 34.170; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004)

("Petitioners carry the burden of demonstrating that extraordinary relief is warranted."); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (observing that "the issuance of a writ of mandamus or prohibition is purely discretionary with this court"). Accordingly, we

ORDER the petition and amended petition DENIED.

1 Hardesty, C.J.
Hardesty

Parraguirre, J.
Parraguirre

Silver, J.
Silver

cc: Gary E. McKinley
Attorney General/Carson City
Clark County District Attorney
Attorney General/Las Vegas
Henderson City Attorney
Eighth District Court Clerk

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APR 16 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER GRANTING MOTION

Petitioner has moved to stay issuance of the remittitur pending the filing of a petition for a writ of certiorari with the United States Supreme Court. Because this is an original writ petition, a notice in lieu of remittitur will issue instead of a remittitur. This court thus grants the motion to the following extent. *Cf.* NRAP 41(b)(3). Issuance of the notice in lieu of remittitur is hereby stayed until August 17, 2021. If the clerk of this court receives written notice by August 17, 2021, from the clerk of the United States Supreme Court that petitioner has filed a petition for a writ of certiorari, the stay shall continue in effect until final disposition of the certiorari proceedings. If such notice is not received by August 17, 2021, the notice in lieu of remittitur shall issue forthwith.

It is so ORDERED.

1. Sanderth, C.J.

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FILED

MAR 24 2021

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY [Signature]
DEPUTY CLERK

ORDER DENYING REHEARING

Rehearing denied. NRAP 40(c).

It is so ORDERED.

[Signature], C.J.
Hardesty

[Signature]
Parraguirre

[Signature], J.
Silver

cc: Gary E. McKinley
Attorney General/Carson City
Clark County District Attorney
Attorney General/Las Vegas
Henderson City Attorney
Eighth District Court Clerk

Filed Mar 29, 2021

21-08457