

IN THE SUPREME COURT OF THE STATE OF NEVADA

CALVIN BRYANT,
Petitioner,
vs.
DOUGLAS GILLESPIE,
Respondent.

No. 52218

FILED

SEP 05 2008

ORDER DENYING PETITION

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

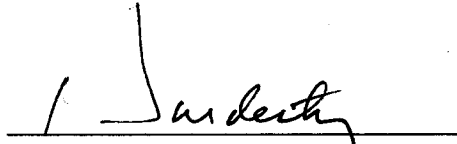
This is a proper person petition for a writ of mandamus. Petitioner complains that a motion for return of illegally seized property in C05F15084X has not been filed in the district court. Petitioner requests that this court order Sheriff Douglas Gillespie to return illegally seized currency to petitioner without further delay.

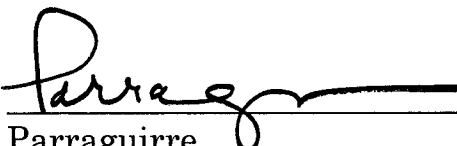
We have considered the documents before this court, and we conclude that petitioner has not demonstrated he is entitled to any relief from Sheriff Gillespie at this time.¹ Petitioner should seek relief in the district court in the first instance. If petitioner believes that the clerk of the district court has erroneously refused to file proper person documents submitted, petitioner must file a petition for a writ of mandamus naming

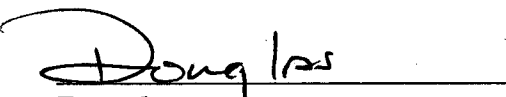
¹See NRS 34.160; NRS 34.170.

the clerk of the district court and the Eighth Judicial District Court and serving such petition on the clerk of the district court. Accordingly, we

ORDER the petition DENIED.

 J.
Hardesty

 J.
Parraguirre

 J.
Douglas

cc: Calvin Bryant
Clark County District Attorney David J. Roger
Eighth District Court Clerk