

IN THE SUPREME COURT OF THE STATE OF NEVADA

ANGEL JAVIER DIAZ,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
STEFANY MILEY, DISTRICT JUDGE,
Respondent,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 53704

FILED

MAY 14 2009

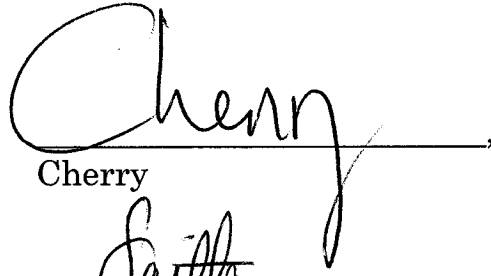
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION

This is a proper person petition for a writ of mandamus, or alternatively, a writ of prohibition. Petitioner seeks an order directing the district court to consider and resolve a motion to vacate an illegal sentence filed in the district court. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims, we decline to exercise original jurisdiction in this matter. NRS 34.160; NRS 34.170; NRS 34.320; NRS 34.330. We are confident that the district court

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


ORDER the petition DENIED.

 J.

Cherry



Saitta



Gibbons

cc: Hon. Stefany Miley, District Judge
Angel Javier Diaz
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk