

IN THE SUPREME COURT OF THE STATE OF NEVADA

MILTON BONNER,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF

CLARK,

Respondent.

No. 62618

FILED

SEP 19 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY R. Malone
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS


This is a proper person petition for a writ of mandamus seeking an order directing the district court to order a response to petitioner's district court petition for a writ of habeas corpus.

A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station, or to control an arbitrary or capricious exercise of discretion. *See* NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). It is within this court's sole discretion to determine if a writ petition will be considered. *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991). Petitioner bears the burden of demonstrating that extraordinary relief is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004).


Having considered the petition and the attached documents, we conclude that our intervention by extraordinary writ relief is not

warranted. See NRS 34.160; *Pan*, 120 Nev. at 228, 88 P.3d at 844.
Accordingly, we

ORDER the petition DENIED.¹


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Saitta

cc: Milton Bonner
Attorney General/Carson City
Eighth District Court Clerk

¹We direct the clerk of this court to file petitioner's February 26, 2013, motion for clarification and reconsideration and April 1, 2013, letter regarding the filing fee, and we conclude that no further action is necessary on either of these documents as an order waiving the filing fee has been entered.