

IN THE SUPREME COURT OF THE STATE OF NEVADA

RICHARD ALLEN LANCASTER,  
Petitioner,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 63445

**FILED**

SEP 19 2013

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *P. Malone*  
DEPUTY CLERK

*ORDER DENYING PETITION FOR WRIT OF MANDAMUS*

This original proper person petition requests that this court direct the district court clerk to file petitioner's request for submission of a motion to withdraw his guilty plea in a criminal action. We construe this filing as a petition for a writ of mandamus. See NRS 34.160 (explaining that 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).

Having considered the petition, we conclude that writ relief is not warranted. See NRAP 21(b)(1); see *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (providing that it is within this court's discretion to determine if a writ petition will be considered). Petitioner's supporting documents indicate that, although his original request for submission was apparently not filed, he sent a subsequent request that was filed by the district court clerk. Moreover, to the extent that petitioner seeks an order directing the district court to resolve the motion, we are confident that the district court will do so as quickly as its docket permits.

It is so ORDERED.

*Libbons*, J.  
Gibbons

*Douglas*, J.  
Douglas

*Saitta*, J.  
Saitta

cc: Richard Allen Lancaster  
Attorney General/Carson City  
Washoe District Court Clerk