

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT LINZY BELLON,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,
Respondent,
and
JAY P. RAMAN, CHIEF DEPUTY
DISTRICT ATTORNEY; AND STEVEN
B. WOLFSON, CLARK COUNTY
DISTRICT ATTORNEY,
Real Parties in Interest.

No. 81251

FILED

JUN 19 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION FOR A WRIT OF MANDAMUS

This original pro se petition for a writ of mandamus seeks an order directing the district court to file a notice of entry of order so that petitioner may file an appeal from the district court's denial of his motion to modify his sentence.

Contrary to petitioner's assertion otherwise, the district court entered an order denying petitioner's motion for modification of sentence on December 23, 2019. Petitioner filed an appeal from that order, which this court dismissed for lack of jurisdiction because petitioner filed an untimely notice of appeal. *Bellon v. State*, Docket No. 80657 (Order Dismissing Appeal, March 26, 2020). To the extent petitioner contends that the district court was required file a notice of entry of order to trigger the time to file an appeal, he is incorrect. *See Edwards v. State*, 112 Nev. 704, 709, 918 P.2d 321, 325 (1996) ("NRAP 4(b) provides that '[i]n a criminal case, the

notice of appeal by a defendant shall be filed in the district court within thirty (30) days after the entry of the judgment or order appealed from.”). Therefore, we conclude that this court’s intervention by way of extraordinary writ is not warranted. See NRS 34.160; NRAP 21(b)(1); *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (“Petitioner[] carr[ies] the burden of demonstrating that extraordinary relief is warranted.”). Accordingly, we

ORDER the petition DENIED.

Pickering, C.J.
Pickering

Hardesty, J.
Hardesty

Stiglich, J.
Stiglich

cc: Robert Linzy Bellon
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk