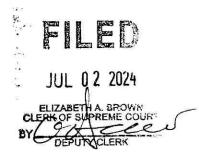
IN THE SUPREME COURT OF THE STATE OF NEVADA

CURTIS L. DOWNING,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND FORMER DISTRICT
COURT JUDGE ELISSA F. CADISH,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 88730



ORDER DENYING MANDAMUS PETITION

This is an original pro se petiton for a writ of mandamus challenging the district court's vexatious-litigant determination and the constitutionality of Senate Bill 182 (1951). In the underlying case, petitioner was convicted in 1995, pursuant to a jury verdict, of burglary, three counts of sexual assault with the use of a deadly weapon, and robbery with the use of a deadly weapon, and sentenced to serve consecutive prison terms totaling 70 years to life in the aggregate.

Having considered the petition and documents submitted by petitioner, we are not convinced that our extraordinary and discretionary intervention is warranted. Pan v. Eighth Jud. Dist. Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing that such relief is warranted); Smith v. Eighth Jud. Dist. Ct., 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). As petitioner has failed

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to demonstrate that our intervention by extraordinary writ is warranted, we decline to exercise our original jurisdiction in this matter. See NRAP 21(b). Accordingly, we

ORDER the petition DENIED.

Stiglich, J.

Stiglich

Herndon

Parraguirre, J.

cc: Hon. Elissa Cadish, Chief Justice Hon. Jerry A. Wiese, Chief Judge Curtis Lundy Downing Attorney General/Carson City Clark County District Attorney Eighth District Court Clerk

SUPREME COURT OF NEVADA

