

FILED

OCT 14 2015

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

IN THE SUPREME COURT OF THE STATE OF NEVADA

Roy Trost

Petitioner/Plaintiff,

v.

The 11th Judicial District
Court of the State Of Nevada, In and
For the County of Pershing

Respondent/Defendant.

Case No. PE 14-0920

Dept. No. 02

Docket No. PC 2100

PETITION FOR WRIT OF MANDAMUS

COMES NOW, Petitioner/Plaintiff, Roy Trost, pro per,
and respectfully moves this Honorable Court to issue a Petition for Writ of Mandamus, being filed
contemporaneously herewith, directing Montero, Michael, R. to reverse and vacate
his order, and/or actions in denying Petitioner/Plaintiff Order For Name
Change

This motion is made and based pursuant to the supporting Points and Authorities attached hereto,
N.R.S. 34.150 through N.R.S. 34. 310, N.R.A.P., Rule 21, as well as all papers, pleadings, and
documents on file herein.

RECEIVED
OCT 07 2015
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

POINTS AND AUTHORITIES

Statement of Facts

I Filed a Petition For Legal change of Name on 12-8-14 and despite several attempts to write the Courts my order has still not been granted by the Judge. I have done everything the Judge Requested me to do and simply Request that this Court Grant my Request For a legal change of Name to Not Grant this would be further Traumatizing as I am a Transgender woman being Forced to use a male name and I desperately desire to have my Pretted Female Name.

Thank You

II. LEGAL ARGUMENT

Petitions for Extraordinary Writs are addressed to the sound discretion of the Supreme Court of Nevada and may issue when there is no plain, speedy, and adequate remedy at law. See, State v. Second Judicial District Court ex. rel. County of Washoe, 11 P.3d 1209, ___ Nev. ___ (2000).

A writ of mandamus is issued to compel performance of an act which the law especially enjoins as a duty resulting from an office, trust or station. See, Lewis v. Stewart, 619 P.2d 1212, 96 Nev. 846 (1980).

A writ of mandamus may issue to control arbitrary or capricious exercise of discretion. See, Barnes v. Eighth Judicial District Court of the State of Nevada, in and for Clark County, 748 P.2d 483, 103 Nev. 679 (1987).

This Court has also held that the action being sought to be compelled must be one already required by law. See, Mineral County v. State, Department of conservation and Natural Resources, 20 P.3d 800, ___ Nev. ___ (2001).

Mandamus is the appropriate vehicle for challenging contested orders entered by the District Court. See, Angell v. Eighth Judicial District court in and for the county of Clark, 839 P.2d 1329, 108 Nev. 923 (1992).

It has also been held that a writ of mandamus is proper when the petitioner raises urgent and important issue[s] of law requiring clarification by the Supreme Court. See, Falcke v. Douglas County, 3 P.3d 661, ___ Nev. ___ (2000).

LEGAL ARGUMENT

I Full Filed all requests and have done everything that is required in getting a legal name change please help me I do not know legal terms etc. to use I can only plead for the Courts help in resolving this issue and getting my legal name changed

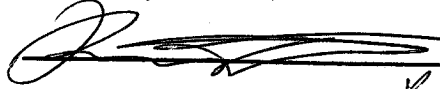
My Requests to local Court go ignored,

CONCLUSION

WHEREFORE, all of the above stated reasons, Petitioner/Plaintiff respectfully requests this Honorable Court to Order Judge Montero, Michael R to Grant and give me my order For change of Name within a reasonable amount of time as required by N.R.S. 34.830.

DATED this 2nd day of October, 2001 LS

Respectfully submitted,

 #102788
Petitioner/Plaintiff Rep Trust


CERTIFICATE OF SERVICE

I hereby certify pursuant to N.R.C.P. 5(b) that I am the Petitioner/Plaintiff in the foregoing Petition for Writ of Mandamus, and that on this 2nd day of October, 2001 LS I did serve a true and correct copy of the above mentioned document, by giving it to a prison official at the Ely State Prison to deposit in the U.S. Mail, sealed in an envelope, postage pre-paid, and addressed as follows:

Nevada Supreme Court
Supreme Court of Nevada
201 South Carson St
Carson City, NV
89701

11th Judicial District Court
Washoe County
4001 Main
Carson City, Nevada
89701

DATED this 2nd day of October, 2001 LS

 #102788
Petitioner/Plaintiff Rep Trust