NO. 76647

IN THE NEVADA SUPREME COURT

FILED

AUG 09 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY [signature]
DEPUTY CLERK

JOEL BURKETT PETITIONER VS. EIGHTH JUDICIAL DISTRICT COURT, CLARK COUNTY, RESPONDENT/	NEV. SUPREME CT. NO: DIST. CT. NO: 81C05219 NOTICE OF MOTION, MOTION TO WAIVE FILING FEE FOR WRIT OF MANDAMUS

COMES NOW, PETITIONER, JOEL BURKETT, PRO PE, AND RESPECTFULLY MOVES THIS HONORABLE COURT TO WAIVE THE FILING FEES NECESSARY TO FILE A PETITION FOR WRIT OF MANDAMUS, BEING FILED CONTEMPORANEOUSLY HEREWITH. 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(e) AND RULE 24, AND ALL PAPER AND PLEADINGS FILED HEREIN.

DATED THIS 1ST DAY OF AUGUST 2018.

[signature]
JOEL BURKETT #16111
PO BOX 1989
ELY, NV 89301

RECEIVED
AUG 03 2018
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

18-30766

POINTS AND AUTHORITIES

I. STATEMENT OF FACTS

ON THE 4TH DAY OF JAN 2016, DUKETT FILED A MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS, AFFIDAVIT IN SUPPORT OF MOTION TO PROCEED IN FORMA PAUPERIS.

N.R.A.P. RULE 21(e) REQUIRES THAT A FILING FEE BE PAID PRIOR TO THIS COURTS ENTERTAINING A PETITION FOR WRIT OF MANDAMUS.

N.R.A.P. RULE 24 ALLOWS AN INDIGENT WHO HAS BEEN GRANTED LEAVE TO PROCEED IN FORMA PAUPERIS IN THE DISTRICT COURT TO SO PROCEED IN THIS COURT.

PETITIONER WOULD OFFER THAT DUE TO HIS POVERTY, HIS CIRCUMSTANCES REGARDING THE SAME, HE IS UNABLE TO PAY THE REQUIRED FILING FEE FOR THE PETITION FOR WRIT OF MANDAMUS THAT HE'S FILING HEREWITH AND REQUESTS THAT SAID FILING FEES BE WAIVED IN THE INTEREST OF JUSTICE

Conclusion

Wherefore, all of the above stated reasons, Petitioner respectfully request this Honorable Court to waive the required filing fees.

Dated this 1st day of August 2018

Joel Burkett 16111
Po Box 1989
Ely, NV 89301

Declaration

I, Joel Burkett, the undersigned, do hereby swear that all the above statements made herein are true and correct of my own knowledge and belief, signed under penalty of perjury pursuant to N.R.S. 208.165

CERTIFICATE OF SERVICE BY MAIL

I, Toni Burkett, hereby certify pursuant to N.R.C.P. 5(b), that on this 15 day of the month of August, of the year 2018 I mailed a true and correct copy of the foregoing Motion to Waive Filing Fee for Writ of Mandamus addressed to:

Eighth Jud. Dist. Ct		
Name	Name	Name
200 Lewis Ave		
3rd Floor		
Las Vegas, NV		
Address 89155-2212	Address	Address

Signature

AFFIRMATION PURSUANT TO NRS 239B.030

I, Joel Burkett, NDOC# 1611,

CERTIFY THAT I AM THE UNDERSIGNED INDIVIDUAL AND THAT THE ATTACHED DOCUMENT ENTITLED Motion to Waive Filing Fee for Writ of Mandamus,

DOES NOT CONTAIN THE SOCIAL SECURITY NUMBER OF ANY PERSONS, UNDER THE PAINS AND PENALTIES OF PERJURY.

DATED THIS 1st DAY OF August, 20 18.

SIGNATURE: [signature]

INMATE PRINTED NAME: Joel Burkett

INMATE NDOC # 1611

INMATE ADDRESS: ELY STATE PRISON
P. O. BOX 1989
ELY, NV 89301