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FILED

JUN 27 2018

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

IN THE SUPREME COURT OF THE STATE OF NEVADA

Devont'e Wash
Pctitioner/Plaintiff,
v.
The Eighth Judicial District
Court of the State Of Nevada, In and
For the County of Clark
Respondent/Defendant.

Case No. C-16-316287-3.
Dept. No. 20.
Docket No. _____

PETITION FOR WRIT OF MANDAMUS

COMES NOW, Petitioner/Plaintiff, Devont'e Wash, pro per,
and respectfully moves this Honorable Court to issue a Petition for Writ of Mandamus, being filed
contemporaneously herewith, directing the District Court, to reverse and vacate
his order, and/or actions in denying Pctitioner/Plaintiff of declaratory relief,
and "Habeas-Corpus" relief.

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
JUN 21 2018
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

18-24583

1 Several of the charges contained in the
2 Indictment / Amended - Indictment, should
3 be dismissed. As beyond the "Statute-
4 OF - Limitations."

5 - As a preliminary matter, several of the
6 charges contained in the State's "Indict-
7 ment", charges should be dismissed as
8 beyond the applicable "Statute OF

9 Limitations." Specifically, the alleged
10 incident was alleged to have occurred on, or
11 about February 20, 2009, and the indictment
12 was not procured until July 7, 2016.

13 That being said, "Nevada-law" clearly
14 requires that the following "count's" must
15 be dismissed. Count-3) assault, Count-4)-
16 assault, Count-5) assault, Count-6)-
17 Conspiracy to commit Robbery. Count-7)-
18 robbery, and Count-8) robbery.

19 An - Indictment for : NRS 171.085 -
20 provides for the "Statute OF Limitations." for
21 Felonies - including: robbery, and assault.
22 The statute specifically say's that any
23 such "violation" must be found, or an -
24 information, or complaint filed, within
25 4-years after the commission of the -

1 offense for robbery-charges. And within
2 3-years after the commission of the offense for
3 assault-charges. - The alleged incident
4 was not found, nor a complaint filed until
5 7-years after the commission of the
6 offense. Because charges was brought
7 after the running of the applicable
8 Statute of limitations. There for the
9 State exceeded beyond the limitations.
10 The State had until February 20, 2012
11 to "indict", or to file a charging document,
12 and the Petitioner/Defendant was
13 inappropriately charged after the Statute
14 of limitations ran under § 171.085,
15 paragraphs 1 and 3. However the defendant
16 was not charged until 4-years after the
17 limitations had already expired. The -
18 limitations don't begin to run until the
19 date of the commission of the offense.

20 The complaint was not filed within
21 three", or "four" years of the discovery
22 of the offense provided by Nev. Rev. Stat.
23 § 171.085, Though all of the charges
24 brought up in this Petition is "barred"
25 by NRS 171.085, and must be dismissed.

1 - "Statute of Limitations": is, any law that
2 fixes the time within which parties must
3 take judicial-action to enforce - rights,
4 or else be thereafter, "barred" from
5 enforcing - them.

6
7 His "office" (Judge) requires him to
8 follow state law, and apply it "equally,"
9 (14th Amendment: Equal Protection Clause)
10 to all citizens that come before his court.

11 12 13 Argument.

14 The (District Court) is ignoring Nevada-
15 law, limitations for (NRS 171.085). By
16 forcing I, the "Petitioner/Defendant"
17 to go to Trial on charges that should
18 be dismissed, because the
19 (District Court)^{clearly} lacks - "Jurisdiction".
20

21 (If the (Supreme Court) do not act quickly
22 the defendant which is "I", will suffer
23 irreparable-harm, and a gross -
24 miscarriage of justice.)
25

1 I've been "deprived" (Declaratory-Relief)
2 for the past 2-years now. Which deprives
3 me, of my life, and liberties, and Equal-Protection.
4 Also the defendant's 6th Amendment "rights"
5 are being deprived and tampered with. We
6 shall enjoy the right to be "heard". Powell v.
7 Alabama, 287 U.S. 45, 68-69, 535, Ct. 55, 77 L. Ed.
8 158 (1932) See also - : U.S. v. Cronin, 466 U.S.
9 648, 654, 659, 104 S. Ct. 2039. 80 L. Ed. 2d 657
10 (1984.) The U.S. Supreme Court has determined
11 that the right to counsel is "fundamental and essential
12 to a fair-trial". and applies in both federal and
13 state proceedings. Gideon v. Wainwright, 372 U.S.
14 335, 343-44, 83 S. Ct. 792 9 L. Ed. 2d 799 (1963.)
15 I'm hoping the "honorable-court" grant petitioner -

16 DATED: 6/15/18.

17 such other and further "relief" to which
18 petitioner may be-entitled.
19

20
21 Respectfully - Submitted,

22 Avonte Wash.
23
24
25
26
27
28

CONCLUSION

WHEREFORE, all of the above stated reasons, Petitioner/Plaintiff respectfully requests this Honorable Court to Order ^{directing} the "District Court", to dismiss all of the time - "barred" counts from the "indictment" - within a reasonable amount of time as required by N.R.S. 34.830.

DATED this 15 day of June, 2018.

Respectfully submitted,

Devonte Wash

Petitioner/Plaintiff

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 15 day of June, 2018 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:

Supreme - Court - of - Nevada
OFFICE OF THE CLERK
201 S. Carson Street
Suite 201
Carson City, NV, 89701

DATED this 15 day of June, 2018.

Devonte Wash

Petitioner/Plaintiff

/In Propria Personam

AFFIRMATION

Pursuant to NRS 239B.030

The undersigned does hereby affirm the
preceding "Petition For Writ of Mandamus"
(Title of Document)

filed in the "Supreme Court" Case No: C-16-316287-3.

☒ Does not contain the social security number of any
person.

- OR -

☐ Contains the social security number of a person
as required by: A. A specific state or
federal law, to wit:
(state specific law)

B. For the administration of a public program
or for an application for a federal or state grant.

Devonté Wash.

6/15/18.
DATE.

Devonté Wash.

Proper Person.
(Title)