

ROY D. MORAGA #31584

NO. 76345

NNCC. P.O. Box 2000

CARSON CITY, NV 89202

**FILED**

JUL 12 2018

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

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

ROY D. MORAGA )

Case No. 89C092174

Petitioner/Plaintiff, )

Dept. No. VIII

v. )

Docket No. \_\_\_\_\_

The EIGHTH Judicial District )  
Court of the State Of Nevada, In and )  
For the County of CLARK )

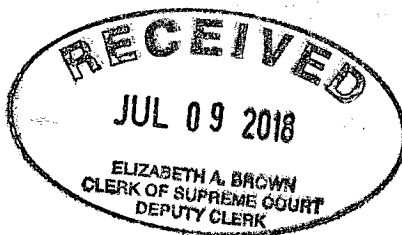
Respondent/Defendant )

**PETITION FOR WRIT OF MANDAMUS**

Comes now, Petitioner/Plaintiff, ROY D. MORAGA, pro per, And  
respectfully moves this Honorable Court to issue a Petition for Writ of Mandamus, being filed  
contemporaneously herewith, directing STEVEN GRIETSON, to reverse and vacate his order,  
and/or actions in denying Petitioner/Plaintiff BOOKING SHEET OF 1989, INITIAL

ARRAIGNMENT - 12-14-89, SENTENCING TRANS-6-13-90, RESENTENCING TRANS.  
OF 11-23-91

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.



18-26651

## II. LEGAL ARGUMENT

1        Petitions for Extraordinary Writs are addressed to the sound discretion of the Supreme Court of  
2 Nevada and may issue when there is no plain, speedy, and adequate remedy at law. See, State v. Second  
3 Judicial District Court ex. Rel. County of Washoe, 116 Nev. 953, 11 P.3d 1209 (2000).

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

6        A writ of mandamus may issue to control arbitrary or capricious exercise of discretion. See, Barnes v.  
7 Eighth Judicial District Court of the State of Nevada, in and for Clark County, 103 Nev. 679,  
8 748 P.2d 483 (1987).

9        This Court has also held that the action being sought to be compelled must be one already required  
10 By law. See, Mineral County v. State Department of Conservation and Natural Resources, 117 Nev. 235  
11 , 20 P.3d 800 (2001).

12        Mandamus is the appropriate vehicle for challenging contested orders entered by the District Court.  
13 See, Angell v. Eighth Judicial District Court In and For the County of Clark, 18 Nev. 923,  
14 839 P.2d 1329, (1992).

15        It has also been held that a writ of mandamus is proper when the petitioner raises urgent and  
16 important issues(s) of law requiring clarification by the Supreme Court. See, Falcke v. Douglas County,  
17 116 Nev. 583, 3 P.3d 661 (2000).

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### STATEMENT OF FACTS

1 Petitioner has made (4) request to the Clerk of the  
2 Court ~ Steven Grierson to send me these documents  
3 in order to file a new writ of habeas corpus  
4 Pursuant to NRS 19.013(5) and S. Grierson has  
5 only sent me the Court Minutes. My time is  
6 running out for me to file my writ, so with all  
7 do respect please order Steven D. Grierson to  
8 mail me all the requested documents right away.  
9 The following is what I need:

10 Booking Sheet of December 5, 1989,  
11 Initial Arrignment of December 14, 1989  
12 Sentencing Trans. of June 13, 1990  
13 Re-Sentencing Trans. of Nov. 23, 1991

14 Respectfully Requested,  
15 Roy D. Moraga  
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