

1 Bryan P. Bonham 60575

2 po Box 650 (HOSP)

3 Indian Springs, NEV 89070

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SUPREME COURT OF

6

STATE OF NEVADA

7

8 Bryan P. Bonham

CASE NO. 08C244974

9

petitioner

SUPRE COURT NO 84280

10 -vs-

11 EIGHTH JUDICIAL DISTRICT DEPT 12

PETITION FOR WRIT OF

12 CLERK OF THE COURT EIGHTH JUDICIAL

MANDAMUS

13 DISTRICT CLARK COUNTY, NEV.

14

15

16 Comes now petitioner Bryan P. Bonham, moves this Honorable court to enter an order

17 granting this petition for writ of mandamus.

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19 This petition/motion is further ~~made~~ made & based upon all the points &

20 Authorities cited here in.

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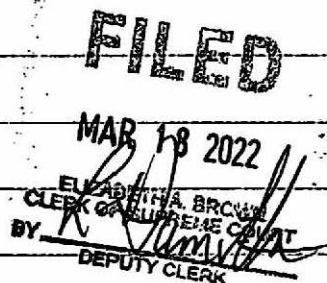
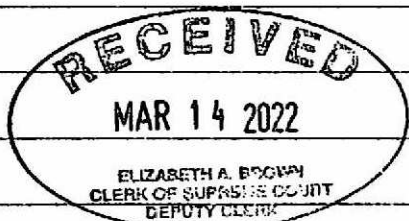
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POINTS AND AUTHORITIES

ARGUMENT

3 STATE V. SECOND JUDICIAL DISTRICT COURT ex rel COUNTY OF WASHOE, 11 p.3d 1209

4 NEV. (2000) petitions for extraordinary writs are addressed to the
5 sound discretion of the Supreme Court of Nevada and may issue when there is
6 no plain, speedy and adequate remedy at law.

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

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

13 Mineral County v State Department of Conservation and Natural Resources, 20
14 p.3d 800, NEV. (2001). This court has also held that the action being sought
15 to be compelled must be one already required by law.

16 Angell v Eighth Judicial District Court in and for the County of Clark, 839 p.2d
17 1329, 108 Nev. 923 (1992). Mandamus is the appropriate vehicle for challenging
18 contested orders entered by the district court.

19 Falcke v Douglas County, 3 p.3d 661, NEV. (2000) it has been held that
20 a writ of mandamus is proper when the petitioner raises urgent and
21 important issue(s) of law requiring clarification by the Supreme Court.

22 Sorenson v Paulikowski 94 Nev. 440, 581 p.2d 851 (1978); Lapica v
23 Eighth Judicial Dist Court ex rel County of Clark 97 Nev. 86, 624 p.2d
24 1003 (1981) "The denial of summary judgment is reviewable by proceeding in
25 mandamus"

26 Sandler v Eighth Judicial Dist Court ex rel County of Clark, 96 Nev. 622, 614 p.2d
27 10 (1980) "Writ of mandamus will issue to compel entry of a summary judgment
28 when there is no issue as to any material fact and the movant is entitled to

1 Judgment as a matter of Law."

2 petitioner filed a petition for writ of Habeas corpus pursuant to All Writs Act

3 28 U.S.C. § 1651 on January 11th, 2022 under case NO. A-22-846507-W AS

4 well as a (MTCIS) motion to correct illegal sentence on January, 07, 2022

5 with case NO. C244974 both challenging (SMJ) subject matter jurisdiction

6 However court states its a challenge of petitioners calculation of credits

7 (an error). These motions were similarly dismissed on January 28, 2022, with

8 out of before court received reply by petitioner.

9

CLERK OF THE COURTS JOB

10 "... His [Clerk of the court] Job is to file pleadings and other documents, maintain the

11 courts files and inform litigants of entry of court orders" see sanders v department

12 of corrections 815 F. Supp 1148, 1149 (N.D. Ill 1993); Williams v Pucinski 01c 5588

13 (NO. 111 01/13/2004) "The duty of the clerk is to file the document on the date it

14 was presented to him was a ministerial act, the performance of which could be

15 Compelled by a writ of mandamus" Buesch-Zeller Inc v Hollembeck 124 NE

16 2d 662, 664 (Ill App Ct 1995); also see Snyder v Nolan 380 F.3d 279 (7th Cir

17 08/13/2004)

18 17 Bryan Phillip Borham v STATE OF NEVADA AND STEVEN GRIERSON case NO 82710-

19 COA IN THE COURT OF APPEALS OF THE STATE OF NEVADA pursuant to Title 2 of

20 The NRS which governs civil proceedings, and subsection 6 of the statute

21 expressly states that "No fee may be charged for any services rendered to

22 a defendant or the defendants attorney in any criminal case or in habeas

23 corpus proceedings." see NRS 19.013(6) petitioner has requested a copy

24 of the order given on 01/07/2022 The court of Appeals stated also that

25 petitioners allegations were sufficient to state a viable claim for a

26 mandatory injunction requiring Grierson to provide him a free copy of the

27 order. see City of Reno v Matley, 79 Nev 49 60-61, 378 p.2d 256, 262

28 (1963)

1 CONCLUSION

2 Wherefore petitioner respectfully request this court to enter an Affirmative
3 decision & order that Respondant enter Eighth Judicial District Dept NO 12 enter
4 an order that clerk of the court issue a copy of said order(s) dismissing
5 petitioners Habeas corpus writ, & motion to correct illegal sentence, as petitioner
6 is a prose defendant & entitled to a copy of said order, rather than only
7 receiving journal entries & or court minutes.

8 VERIFICATION

9 I Bryan P Bonham declare and verify that I have read the foregoing petition for
10 writ of mandamus and to best of my belief and knowledge that the
11 foregoing is true & correct under the pains & penalties of perjury pursuant
12 to 28 U.S.C. A § 1746 & 18 U.S.C. A § 1621

13 CERTIFICATE OF SERVICE

14 I Bryan P Bonham certify that I have read the foregoing petition for writ of
15 mandamus, that I am attaching special instructions for electronic filing & service
16 to serve all of my opponents to the clerk of the court pursuant to NEECR 5(E), &
17 et seq A-E to the following:

18
19 @ chief Deputy DISTRICT Attorney

20 Alexander G Chen

21 200 Lewis Ave

22 LV, NV 89155

23 Dated this 4th day of March, 2022

24 151 

25 Bryan P Bonham 60575

26 PO Box 650 (HOSP)

27 Indian Springs, NV 89070

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