

Anthony Clarke #1192204
NNCC P.O. Box 7000
Carson City, NV 89702

In Proper Person:

IN THE SUPREME COURT OF THE STATE OF NEVADA

Anthony Clarke

No. 80185

Petitioner,

NRS 34.160

v.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA.
IN AND FOR THE COUNTY OF

WASHOE,
Respondent,
and

THE STATE OF NEVADA
Real Party in Interest.

FILED

JAN 16 2020

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

Comes Now The Above Named Petitioner Proceeding Pro Se
NRS 12.015: Petitions this Court for issuance of Extraor-
dinary Writ.

In the Second Judicial District Court County of Washoe
Petitioner Anthony Clarke, in proper person filed a Motion
pursuant to NRS 176.555 (Illegal Sentence) case No CR-19-1352.

On January 6, 2020 The Honorable Judge Hardy issued a
order striking Petitioner's Request For Submission and that
he failed to file a Motion to Proceed In Forma Pauperis.

On January 7, 2020 Judge Hardy issued a Order
pursuant to Nevada Supreme Court Order ADKT No 411.

10-13-2020 RECEIVED
JAN 16 2020
ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK
appointed. The Petitioner is not trained in the letter
of the law (see) Balistreri v. Pacifica Police Dept, 901 F.2d 696, 699
(1990) Proceedings Are to be liberally construed.

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20-02251

Contained in that Order Judge Hardy declared:
After filing his appeal, Mr. Clarke continued to file and submit post-conviction motions and pleadings in this Court. All post-conviction requests made to this Court will be held in abeyance pending final resolution of the appeal and all submissions thereof will be stricken as premature.

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, Dept. 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).

WHEREFORE, petitioner pray that the court grant petitioner Relief to which he may be entitled in this proceedings.

Executed at NNCC. Nevada on the 14th Day of January 2020.

Anthony Clarke
Anthony Clarke # 1192204
Petitioner In Proper Person.
NNCC P.O. Box 7000
Carson City, Nevada
89702

AFFIRMATION

Pursuant TO NRS 239B.030

The undersigned does hereby affirm that the proceeding document Petition For Writ of Mandamus NRS 34.160.

Filed In Case No# 80185.

This Document does not contain the social security number of any Person.

Dated January 14, 2020.

Anthony Clarke

Anthony Clarke #1192204

NRS 12.015

CERTIFICATE OF SERVICE BY Mail

I do certify that I mailed a true and correct copy of the foregoing Petition FOR Writ of Mandamus to the below address on this 14th day of January 2020

Nevada Supreme Court

Attn: Appeals Clerk

201 S. Carson St, Suite 201

Carson City, Nevada 89701

Carson City Nevada

2020

Anthony Clarke #1192204

Petitioner In Proper Person

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