

IN THE SUPREME COURT OF THE STATE OF NEVADA

STEVEN MICHAEL COX A/K/A MICHAEL
STEVE COX,

Petitioner,

vs.

THE FIRST JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR
CARSON CITY; AND THE HONORABLE
JAMES TODD RUSSELL, DISTRICT
JUDGE, THE SIXTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA, IN
AND FOR THE COUNTY OF PERSHING;
AND THE HONORABLE JOHN M. IROZ,
DISTRICT JUDGE,

Respondents,

and

NEVADA STATE PRISON; B. DONAT; J.
BACA; A. WATSON; R. CRUMB; K. KING;
G. COX; DR. BANNISTER; NURSE JANIS;
C/O (MS.) NYE; D. HELLING; G.
WHORTON; H. SKOLNIK; SGT. BYARS;
C/O PETERMAN; C/O ROGERS; C/O
JERMYN; AND C/O (MS.) BAKER,
Real Parties in Interest.

No. 52698

FILED

DEC 04 2008

TRACE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

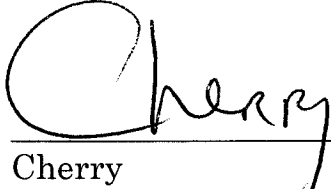
This is an original proper person petition for a writ of mandamus seeking to direct respondents to expedite processing petitioner's complaint and challenging district court orders changing venue and dismissing petitioner's complaint in two separate actions.


A writ of mandamus is available only where no plain, speedy, and adequate remedy exists in the ordinary course of law.¹ This court has


¹NRS 34.170.

repeatedly held that an appeal is a speedy and adequate remedy that precludes the availability of writ relief.² As petitioner may appeal from a written district court order transferring venue and from a district court order dismissing petitioner's complaint,³ we conclude that petitioner has a plain, speedy, and adequate remedy available in the form of an appeal, and thus this court's intervention by way of extraordinary relief is not appropriate.⁴ We therefore deny the petition.⁵

It is so ORDERED.


_____, J.
Cherry


_____, J.
Gibbons


_____, J.
Saitta

cc: Hon. James Todd Russell, District Judge
Hon. John M. Iroz, District Judge
Steven Michael Cox
Attorney General Catherine Cortez Masto/Carson City
Carson City Clerk
Pershing County Clerk

²Pan v. Dist. Ct., 120 Nev. 222, 224, 88 P.3d 840, 841 (2004).

³See NRAP 3A(b)(1) and (2).

⁴NRS 34.170; Pan, 120 Nev. at 224, 88 P.3d at 841.

⁵See NRAP 21(b); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991).