

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

WESLEY RONNY WITHERS,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
CAROLYN ELLSWORTH, DISTRICT
JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 76906-COA

FILED

FEB 13 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT

BY  DEPUTY CLERK


ORDER DENYING PETITION

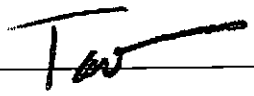
This original petition for a writ of mandamus challenges a district court order denying Wesley Ronny Withers' motion to dismiss and appoint alternate counsel. Withers asserts there has been a complete breakdown in his relationship with his counsel and therefore the district court erred by denying his motion. Withers asks this court to direct the district court to grant his motion to dismiss counsel and appoint alternate counsel.

Because Withers can challenge the district court's decision on appeal in the event he is convicted; NRS 177.015(3); NRS 177.045, he has a plain, speedy, and adequate remedy at law and, therefore, this court's

intervention by way of an extraordinary writ is not warranted, NRS 34.170.
Accordingly, without deciding the merit of the claim raised, we

ORDER the petition DENIED.


_____, A.C.J.
Douglas


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Carolyn Ellsworth, District Judge
Wesley Ronny Withers
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk