

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRADLEY ELLINGSON,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 71907

FILED

JAN 12 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION

This petition appears to seek a writ of mandamus related to a pending criminal prosecution.¹ To the extent that petitioner seeks relief from his guilty plea, he has an adequate remedy at law either through an appeal from the judgment of conviction entered after sentencing, *see* NRS 177.015, or a postconviction petition for a writ of habeas corpus, *see* NRS 34.720, 34.724(1).² We therefore conclude that a writ of mandamus is not proper. *See* NRS 34.170 (providing that writ of mandamus is proper only when there is no plain, adequate, and speedy legal remedy); NRS 34.724(2) (providing that postconviction habeas petition takes the place of all other remedies for challenging validity of a conviction or sentence, aside from a direct appeal and remedies that are incident to the trial court

¹Petitioner has not provided an appendix as required by NRAP 21(a)(4).

²We express no opinion as to whether petitioner can meet the requirements for filing a timely notice of appeal or comply with the procedural requirements for a petition filed under NRS chapter 34.

proceedings); *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004) (“[T]he right to appeal is generally an adequate legal remedy that precludes writ relief.”). Accordingly, we

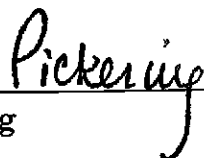
ORDER the petition DENIED.


_____, J.

Douglas


_____, J.

Gibbons


_____, J.

Pickering

cc: Hon. Steven L. Dobrescu, District Judge
White Pine County Public Defender
Bradley Ellingson
Attorney General/Carson City
White Pine County District Attorney
White Pine County Clerk