

IN THE SUPREME COURT OF THE STATE OF NEVADA

THE STATE OF NEVADA,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; THE HONORABLE JESSIE
ELIZABETH WALSH, DISTRICT
JUDGE; AND THE HONORABLE
NANCY M. SAITTA,
Respondents,
and
KENEISHA HALSTEAD,
Real Party in Interest.

No. 71819

FILED

SEP 29 2017

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

ORDER DENYING PETITION


This is an original petition for a writ of mandamus to vacate the evidentiary hearing on Halstead's *coram nobis* petition and deny Halstead's petition entirely. We deny the State's petition for a writ of mandamus without prejudice.

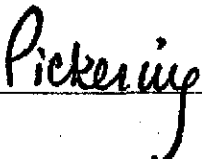
This court may not issue a writ where the petitioner has a plain, speedy, and adequate remedy in the ordinary course of law. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004). For appellate purposes, a writ of *coram nobis* is treated as a civil writ, even if it is asserted in a criminal matter, and is appealable under NRAP 3A(b)(1). *Trujillo v. State*, 129 Nev. 706, 718, 310 P.3d 594, 602 (2013). Thus, the State has an adequate remedy at law to appeal the final judgment on Halstead's petition, after Halstead's claims are clarified by evidentiary

hearing, and this court's intervention by writ is unwarranted. Accordingly, we deny the State's petition without prejudice.

It is so ORDERED.


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Pickering

cc: Chief Judge, The Eighth Judicial District Court
Hon. Nancy M. Saitta, Senior Justice
Attorney General/Carson City
Clark County District Attorney
Wooldridge Law
Eighth District Court Clerk