IN THE SUPREME COURT OF THE STATE OF NEVADA

LON ALLEN CLARK,
Petitioner,
vs.
NEVADA DEPARTMENT OF
CORRECTIONS; WILLIAM A.
GITTERE, DIRECTOR NEVADA
DEPARTMENT OF CORRECTIONS;
AND GABRILLE NAJARA, WARDEN,
Respondents.

No. 85941

CHED

FEB 0 3 2023

CLERK OF SUPREME COURT
BY DEPUTY CLERK

ORDER DENYING PETITION FOR A WRIT OF HABEAS CORPUS

This original pro se petition for a writ of habeas corpus alleges that the State introduced evidence of prior irrelevant subject matter and failed to establish probable cause. Petitioner seeks a writ directing Clark County to issue a writ directing the Nevada Department of Corrections to bring petitioner before the district court, ostensibly to address those issues.

Having considered the petition, we are not persuaded that writ relief is warranted because petitioner has a plain, speedy, and adequate remedy available to him by way of an appeal from the district court's denial of such relief in the first instance. See NRAP 22 ("An application for an original writ of habeas corpus should be made to the appropriate district court. If an application is made to the district court and denied, the proper remedy is by appeal from the district court's order denying the writ."); see also Pan v. Eighth Judicial Dist. Court, 120 Nev. 222, 224, 88 P.3d 840, 841

(2004) (writ relief is proper only when there is no plain, speedy, and adequate remedy at law). Accordingly, we

ORDER the petition DENIED.1

Stiglich, C.J.

Cadish

Herndon

cc: Lon Allen Clark Attorney General/Carson City Eighth District Court Clerk

¹Further, regarding petitioner's January 19, 2023, motion to receive county jail credits not awarded, we note that a challenge to the computation of time served must also be raised in a post-conviction petition for a writ of habeas corpus filed in the district court in the first instance. NRS 34.724(2)(c); NRS 34.738(1). We therefore deny the motion.