

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CHRISTOPHER DOOP,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 86144-COA

FILED

MAY 24 2023

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER AFFIRMING IN PART AND DISMISSING IN PART*

Christopher Doop appeals from an order of the district court denying a pretrial petition for a writ of mandamus and a pretrial motion for discovery. Eighth Judicial District Court, Clark County; Crystal Eller, Judge.

*Petition for a writ of mandamus*

In his January 24, 2023, petition and later-filed supplement, Doop contended that the State failed to comply with a district court order regarding discovery and that the State improperly provided discovery materials to his stand-by counsel instead of directly to him. Doop therefore sought an order directing the State to provide additional discovery materials to him. Doop also appeared to contend that the jail's law library was inadequate, he was unable to retain a private investigator, and his right to a speedy trial had been violated. Doop therefore requested dismissal of his criminal case.

A writ of mandamus is available to compel the performance of an act which the law requires as a duty resulting from an office, trust, or station, NRS 34.160, or to control a manifest abuse or arbitrary or capricious exercise of discretion, *Round Hill Gen. Improvement Dist. v.*

*Newman*, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981). A writ of mandamus will not issue, however, if the petitioner has a plain, speedy, and adequate remedy in the ordinary course of law. NRS 34.170. “Petitioners carry the burden of demonstrating that extraordinary relief is warranted.” *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). “We generally review a district court’s grant or denial of writ relief for an abuse of discretion.” *Koller v. State*, 122 Nev. 223, 226, 130 P.3d 653, 655 (2006).

Doop has not yet been convicted of the underlying criminal charge, and he has the right to pursue a direct appeal following entry of a judgment of conviction. See NRS 177.015(3). The right to a direct appeal will generally preclude writ relief. See *Watson Rounds, P.C. v. Eighth Judicial Dist. Court*, 131 Nev. 783, 786, 358 P.3d 228, 231 (2015) (“The right . . . to appeal in the future, after a final judgment is ultimately entered, will generally constitute an adequate and speedy legal remedy precluding writ relief.” (quotation marks omitted)). Because Doop has a plain, speedy, and adequate remedy in the ordinary course of law, he was not entitled to extraordinary relief. Accordingly, we conclude that the district court did not err by denying Doop’s petition.

#### *Motion for discovery*

Doop appeals from the denial of a pretrial motion for discovery filed on January 19, 2023, in which he requested to be provided with information regarding an internal affairs investigation. This court lacks jurisdiction to consider such an appeal as no statute or court rule permits an appeal from an order denying a pretrial motion for discovery in a criminal matter. See *Castillo v. State*, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990) (explaining that an appellate court has jurisdiction only when

a statute or court rule provides for an appeal). Accordingly, we dismiss this portion of Doop's appeal.

Having concluded that Doop is not entitled to relief, we

ORDER the judgment of the district court AFFIRMED IN PART and the appeal DISMISSED IN PART.<sup>1</sup>

  
\_\_\_\_\_, J.  
Bulla

  
\_\_\_\_\_, J.  
Westbrook

cc: Hon. Crystal Eller, District Judge  
Christopher Doop  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>1</sup>The Honorable Michael Gibbons, Chief Judge, did not participate in the decision in this matter.

To the extent Doop raises arguments that are not specifically addressed in this order, we have considered the same and conclude that they either do not present a basis for relief or need not be reached given our disposition of this appeal.