

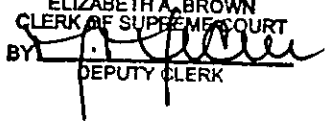
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

FRANKLIN PATRICK NORCUTT,
Petitioner,
vs.
THE TENTH JUDICIAL DISTRICT OF
THE STATE OF NEVADA, IN AND FOR
THE COUNTY OF CHURCHILL AND
THE HONORABLE THOMAS L.
STOCKARD, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 90166-COA

FILED

APR 23 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION

In this original petition for a writ of mandamus, petitioner Franklin Patrick Norcutt challenges a district court order denying a pretrial petition for a writ of habeas corpus seeking to dismiss a criminal information.

Norcutt asserts the district court should have granted his pretrial petition for a writ of habeas corpus challenging the preliminary hearing proceedings because his conduct did not fall within the parameters of the involuntary servitude statute and because the State did not present sufficient evidence to establish probable cause to believe a crime had been committed. *See* NRS 171.206. As to the sufficiency of the evidence, Norcutt specifically argues there was not even slight or marginal evidence that he committed extortion or involuntary servitude.


Having reviewed the petition and supporting documents submitted in this matter, we are not satisfied that this court's intervention by way of extraordinary relief is warranted. *See Pan v. Eighth Jud. Dist.*


Ct., 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing such relief is warranted); *Smith v. Eighth Jud. Dist. Ct.*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (recognizing that “the issuance of a writ of mandamus . . . is purely discretionary with this court”). Our review of a pretrial probable cause determination through an original writ petition is disfavored, and Norcutt has not demonstrated that his challenges to the probable cause determinations fit the exceptions for purely legal issues. See *Ostman v. Eighth Jud. Dist. Ct.*, 107 Nev. 563, 565, 816 P.2d 458, 459-60 (1991).

Further, to the extent Norcutt raises legal issues, he has a plain, speedy, and adequate remedy in the form of an appeal from a final judgment. See NRS 34.170; *Cote H. v. Eighth Jud. Dist. Ct.*, 124 Nev. 36, 39, 175 P.3d 906, 908 (2008) (recognizing a writ of mandamus is generally inappropriate where the petitioner has a plain, speedy, and adequate remedy and stating “an appeal generally constitutes an adequate and speedy remedy precluding writ relief”). Therefore, we conclude that our intervention is not warranted, and we

ORDER the petition DENIED.


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

cc: Hon. Thomas L. Stockard, District Judge
Evenson Law Office
Attorney General/Carson City
Churchill County District Attorney/Fallon
Churchill County Clerk