

IN THE SUPREME COURT OF THE STATE OF NEVADA

PAUL THOMAS PICETTI,
Petitioner,

vs.

THE THIRD JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF LYON,
AND THE HONORABLE ROBERT E.
ESTES, DISTRICT JUDGE,

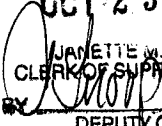
Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 50355

FILED

OCT 23 2007
JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION

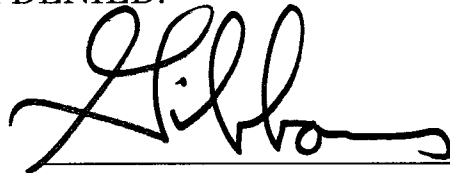
This original petition for a writ of mandamus challenges the sentence imposed on petitioner by the district court. Third Judicial District Court, Lyon County; Robert E. Estes, Judge.

We have considered the petition on file herein, and we are not persuaded that this court's intervention by way of extraordinary relief is warranted at this time.¹ In particular, we note that petitioner has a plain, speedy and adequate remedy in the ordinary course of law by way of a timely direct appeal challenging the judgment of conviction and the

¹See NRS 34.160.

district court's alleged refusal to consider the newly-enacted provisions of NRS 484.3792 at sentencing. Accordingly, we

ORDER the petition DENIED.²

 J.

Gibbons

 J.

Cherry

 J.

Saitta

cc: Hon. Robert E. Estes, District Judge
Arrascada & Arrascada, Ltd.
Lyon County District Attorney
Lyon County Clerk

²We also deny petitioner's request for a stay of enforcement of the judgment and sentence below. In the event that petitioner files a timely direct appeal, see NRAP 4(b), petitioner may then move this court to stay the judgment below and to expedite the appeal.