

IN THE SUPREME COURT OF THE STATE OF NEVADA

DEONTA SCOTT,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
JENNIFER TOGLIATTI, DISTRICT
JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 53044

FILED

DEC 03 2009


TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK


ORDER DENYING PETITION


This is an original petition for a writ of mandamus requesting that this court direct the district court to remand this matter back to the juvenile court based on exceptional circumstances. We have considered the petition on file herein as well as respondent's answer, and we are not convinced that this court's intervention by way of extraordinary writ is warranted. In particular, the record does not demonstrate any substantial error by the district court in its determination that no exceptional circumstances existed which warranted a remand to the juvenile court. NRS 62B.390(5)(b); see also, e.g., State of Nevada v. Dist. Ct., 116 Nev. 127, 133, 994 P.2d 692, 696 (2000) (a writ of mandamus will not lie to review discretionary acts of the district court unless those actions are arbitrary and capricious). To the extent petitioner challenges the juvenile court's order certifying him as an adult, we decline to exercise our original jurisdiction because petitioner had "a plain, speedy and adequate remedy

in the ordinary course of law.” NRS 34.170. In particular, the juvenile court’s order was appealable to this court. See Castillo v. State, 106 Nev. 349, 351, 792 P.2d 1133, 1134-35 (1990). Accordingly, we deny the petition. See NRAP 21(b).

It is so ORDERED.


_____, J.
Cherry


_____, J.
Saitta


_____, J.
Gibbons

cc: Hon. Jennifer Togliatti, District Judge
Law Office of Betsy Allen
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk