

IN THE SUPREME COURT OF THE STATE OF NEVADA

NORMAN FLOWERS,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK, AND THE HONORABLE
ELIZABETH GOFF GONZALEZ,
DISTRICT JUDGE,

Respondents,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 53529

FILED

MAY 01 2009

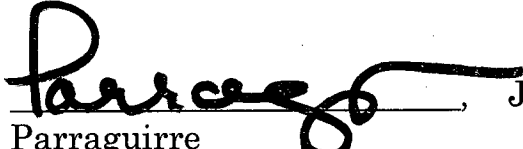
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

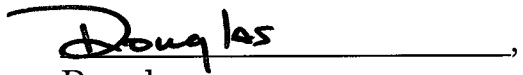
ORDER DENYING PETITION

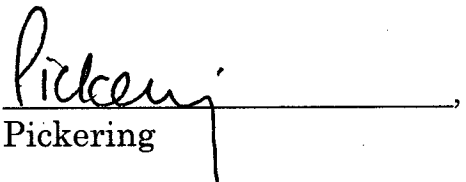
This is an original petition for a writ of mandamus or prohibition requesting this court to direct the district court to dismiss an indictment alleging offenses related to the deaths of two women and preclude the State from seeking the death penalty. In the alternative, petitioner seeks extraordinary relief challenging the district court's denial of his motions to sever the offenses related to each victim and to prohibit "cross reference of the matters in the separate trial of each case." Having reviewed the petition and the accompanying documentation, we conclude that this court's intervention by way of extraordinary writ is not warranted because petitioner has a plain, speedy, and adequate remedy at law with respect to his speedy trial and severance claims, see NRS 34.170; NRS 34.330, and petitioner's double jeopardy claim lacks merit as he has not be prosecuted or punished twice for the same offense, see State v. Lomas, 114 Nev. 313, 315, 955 P.2d 678, 679 (1998) (observing that "[t]he

Double Jeopardy Clause protects against three abuses: (1) a second prosecution for the same offense after acquittal, (2) a second prosecution for the same offense after conviction, and (3) multiple punishments for the same offense"). Accordingly, we

ORDER the petition DENIED.

 J.
Parraguirre

 J.
Douglas

 J.
Pickering

cc: Hon. Elizabeth Goff Gonzalez, District Judge
Special Public Defender David M. Schieck
Bret O. Whipple
Attorney General Catherine Cortez Masto/Carson City
Clark County District Attorney David J. Roger
Eighth District Court Clerk