

IN THE SUPREME COURT OF THE STATE OF NEVADA

FRANK MILFORD PECK,  
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
WASHOE, AND THE HONORABLE  
BRENT T. ADAMS, DISTRICT JUDGE,  
Respondents,

and

THE STATE OF NEVADA,  
Real Party in Interest.

No. 54875

FILED

DEC 03 2009

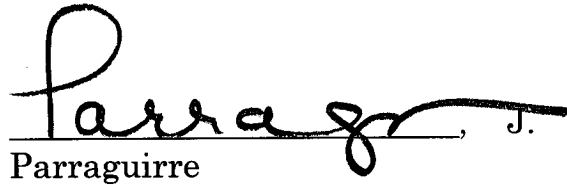
THACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *J. Gray*  
DEPUTY CLERK

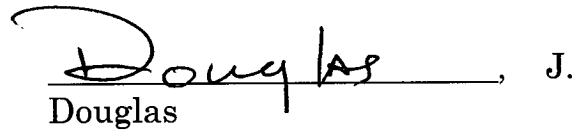
ORDER DENYING PETITION

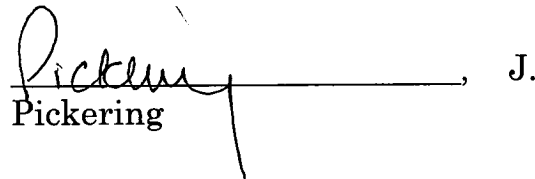
This is a proper person petition for a writ of mandamus. Petitioner seeks an order directing the district court to resolve motions filed prior to sentencing. Petitioner asserts that he cannot raise issues relating to the motions on direct appeal without resolution of the motions. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims, we decline to exercise original jurisdiction in this matter. NRS 34.160; NRS 34.170. Any issues relating to the failure to resolve motions can be raised on direct appeal. Notably, petitioner is represented by appellate counsel in Docket No. 54168, the

direct appeal, and petitioner should proceed by and through his appointed counsel. Accordingly, we

ORDER the petition DENIED.

 J.  
Parraguirre

 J.  
Douglas

 J.  
Pickering

cc: Hon. Brent T. Adams, District Judge  
Frank Milford Peck  
Attorney General Catherine Cortez Masto/Carson City  
Washoe County District Attorney Richard A. Gammick  
Karla K. Butko, Esq.  
Washoe District Court Clerk