

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEITH MCPHERSON KEMP,
Petitioner,
vs.
NEVADA COMMISSION ON ETHICS,
Respondent.

No. 55442

FILED

MAR 10 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY A. Ingersoll
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original proper person petition for a writ of mandamus challenges, on constitutional grounds, a statute prohibiting him from seeking an opinion from respondent. We have considered the petition, and we are not persuaded that our intervention by way of extraordinary relief is warranted. NRAP 21(b)(1); Smith v. District Court, 107 Nev. 674, 818 P.2d 849 (1991). Petitioner has an adequate remedy at law in the form of a declaratory relief action in district court, so writ relief is unavailable, NRS 34.170, and his arguments are thus more appropriately addressed to the district court in the first instance. Pan v. Dist. Ct., 120 Nev. 222, 88 P.3d 840 (2004). Accordingly, we

ORDER the petition DENIED.¹

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

¹Petitioner has established good cause to waive the filing fee, NRAP 21(e), and thus no fee is due.

cc: Keith McPherson Kemp
Attorney General/Carson City
Nevada Commission on Ethics