

IN THE SUPREME COURT OF THE STATE OF NEVADA

AMADEO J. SANCHEZ,  
Petitioner,  
vs.  
MEDICAL DIRECTOR, NEVADA  
DEPARTMENT OF CORRECTIONS,  
Respondent.

No. 57964

**FILED**

DEC 13 2012

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *Tracie K. Lindeman*  
DEPUTY CLERK

ORDER DENYING PETITION FOR WRIT OF MANDAMUS


This is a proper person petition for writ of mandamus asking this court to direct respondent to provide petitioner with proper medical care.

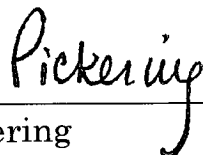
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station, or to control an arbitrary or capricious exercise of discretion. See NRS 34.160; International Game Tech. v. Dist. Ct., 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). Writ relief is generally not available, however, when the petitioner has a plain, speedy, and adequate remedy at law. See NRS 34.170; International Game Tech., 124 Nev. at 197, 179 P.3d at 558. It is within our discretion to determine if a writ petition will be considered. Smith v. District Court, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991).

Petitioner alleges that respondent has exhibited a deliberate indifference to petitioner's serious medical needs and therefore asks this court to direct respondent to provide him with proper medical care. Having considered the petition, we decline to exercise our discretion to issue writ relief, as petitioner has an adequate remedy at law in the form

of a civil rights action pursuant to 42 U.S.C. § 1983. See NRAP 21(b); International Game Tech., 124 Nev. at 197, 179 P.3d at 558; Smith, 107 Nev. at 677, 818 P.2d at 851. Accordingly, we

ORDER the petition DENIED.

  
Saitta, J.

  
Pickering, J.

  
Hardesty, J.

cc: Amadeo J. Sanchez  
Attorney General/Carson City