

IN THE SUPREME COURT OF THE STATE OF NEVADA

LEROY COLLINS,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
DOUGLAS SMITH, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 58578

FILED

JUL 14 2011


TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *H. Anderson*
DEPUTY CLERK

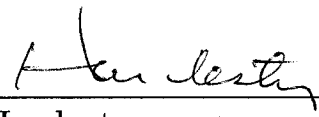
ORDER DENYING PETITION

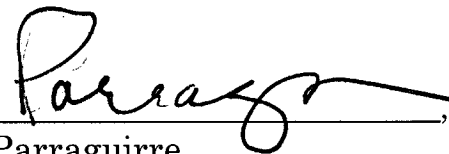
This original petition for a writ of mandamus challenges an order denying a petition for a writ of habeas corpus in which petitioner challenged the Nevada Department of Corrections' application of his sentences. Specifically, petitioner argues that the district court violated his due process rights by dismissing his petition without notice and an evidentiary hearing as directed by this court. Having considered the petition and supporting documents, we conclude that petitioner has a plain, speedy and adequate remedy in the ordinary course of law, see NRS 34.170. In particular, petitioner has an appeal pending in this court from the order challenged in this original writ petition. Collins v. State, No. 57780. In that petition, petitioner may challenge the district court's interlocutory rulings related to his habeas corpus petition. See NRS

177.045. Therefore our intervention by way of extraordinary writ is not warranted. Accordingly, we deny the petition. See NRAP 21(b).

It is so ORDERED.


_____, J.
Saitta


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Hon. Doug Smith, District Judge
The Law Office of Dan M. Winder, P.C.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk