

IN THE SUPREME COURT OF THE STATE OF NEVADA

QUANG REGAN A/K/A QUANG  
VINHPAM REGAN,  
Appellant,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND THE HONORABLE  
MICHELLE LEAVITT, DISTRICT  
JUDGE,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 61736

**FILED**

DEC 12 2012

TACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *Angela*  
DEPUTY CLERK


ORDER DISMISSING PETITION

This original petition for a writ of mandamus challenges a district court order denying a motion to disqualify the Clark County District Attorney's Office from prosecuting petitioner. Petitioner asserts that District Attorney Steve Wolfson has a conflict of interest under RPC 1.9 based on his firm's prior representation of the petitioner and that conflict should be imputed to the Clark County District Attorney's Office.

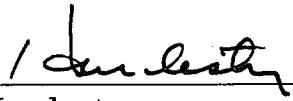
Mandamus is an extraordinary remedy, and the decision to entertain a petition for a writ of mandamus rests within our discretion. See Poulos v. District Court, 98 Nev. 453, 455, 652 P.2d 1177, 1178 (1982); see also State ex re. Dep't Transp. v. Thompson, 99 Nev. 358, 360, 662 P.2d 1338, 1339 (1983). While this court has indicated that mandamus is an appropriate vehicle for challenging attorney disqualification rulings, see generally Collier v. Legakes, 98 Nev. 307, 646 P.2d 1219 (1982), if there is a plain, speedy, and adequate remedy in law, then the petitioner

should pursue that other remedy. NRS 34.170. In this case, the judgment of conviction has been filed, and petitioner has a pending appeal from that judgment filed in Docket No. 61847. Because petitioner has a plain, speedy, and adequate remedy in law, we decline to entertain this petition. Accordingly, we

ORDER the petition DISMISSED.

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Pickering

  
\_\_\_\_\_, J.  
Hardesty

cc: Hon. Michelle Leavitt, District Judge  
McDonald Adras LLC  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk