

IN THE SUPREME COURT OF THE STATE OF NEVADA

RENARD TRUMAN POLK,
Petitioner,
vs.
NEVADA DEPARTMENT OF
CORRECTIONS; AND ROBERT
LEGRAND, WARDEN,
Respondents.

No. 66017

FILED

NOV 14 2014

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK


ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This is an original proper person petition for a writ of mandamus seeking an order directing respondents to grant petitioner's grievance.

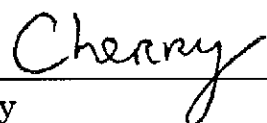
A writ of mandamus is available to compel the performance of an act that the law requires as a duty resulting from an office, trust, or station or to control an arbitrary or capricious exercise of discretion. NRS 34.160; *Int'l Game Tech., Inc. v. Second Judicial Dist. Court*, 124 Nev. 193, 197, 179 P.3d 556, 558 (2008). This court has the discretion to determine whether a writ petition will be considered, *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991), and petitioner bears the burden of demonstrating that this court's extraordinary intervention is warranted. *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004). Writ relief is typically available only when there is no plain, speedy, and adequate remedy in the ordinary course of law, NRS 34.170, and the right to an appeal is generally an adequate legal remedy precluding writ relief. *Pan*, 120 Nev. at 224, 88 P.3d at 841.

Having considered the petition, we conclude that petitioner has not demonstrated that our intervention by way of extraordinary relief is warranted. *Smith*, 107 Nev. at 677, 818 P.2d at 851; *see also* NRAP 21(b)(1). Accordingly, we

ORDER the petition DENIED.


_____, J.
Hardesty


_____, J.
Douglas


_____, J.
Cherry

cc: Renard Truman Polk
Attorney General/Carson City