

IN THE SUPREME COURT OF THE STATE OF NEVADA

HANK CLACKUM,  
Petitioner,  
vs.  
CLARK COUNTY JUSTICE COURT,  
HENDERSON TOWNSHIP; THE  
HONORABLE RODNEY BURR,  
JUSTICE OF THE PEACE; THE  
EIGHTH JUDICIAL DISTRICT COURT  
OF THE STATE OF NEVADA, IN AND  
FOR THE COUNTY OF CLARK; AND  
THE HONORABLE KATHY A.  
HARDCASTLE, SENIOR JUDGE,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 70567

**FILED**

DEC 15 2016

ENZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER DENYING PETITION*

This petition for a writ of mandamus<sup>1</sup> asks this court to direct the dismissal of count 1, lewdness with a child under the age of 14, for lack of jurisdiction. A writ of mandamus will issue only “where there is not a plain, speedy and adequate remedy in the ordinary course of law,” NRS 34.170, and an appeal is generally an adequate legal remedy that precludes writ relief, *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004). Petitioner has an adequate remedy at law. See NRS 2.090(2) (the district court’s denial of a petition for a writ of mandamus is an appealable decision); NRAP 3A(b)(1); *Shannon v. State*,

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<sup>1</sup>To the extent petitioner seeks a writ of prohibition, he fails to provide any authority or argument for the issuance of said writ.

105 Nev. 782, 791, 783 P.2d 942, 947 (1989) (allowing a challenge as to jurisdiction to be raised on appeal). Petitioner fails to demonstrate that the circumstances in this case warrant this court's exercise of its original jurisdiction. *See State v. Second Judicial Dist. Court (Ducharm)*, 118 Nev. 609, 614, 55 P.3d 420, 423 (2002). Accordingly, we

ORDER the petition DENIED.<sup>2</sup>

Cherry, J.  
Cherry

Douglas, J.  
Douglas

Gibbons, J.  
Gibbons

cc: Chief Judge, The Eighth Judicial District Court  
Hon. Kathy A. Hardcastle, Senior Judge  
Clark County Public Defender  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>2</sup>The stay previously imposed by this court is lifted.