

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ABDUL HOWARD,  
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. 72291

FILED

FEB 28 2017

ELIZABETH L. BROWN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

*ORDER DENYING PETITION*

This original petition seeks a writ of mandamus and/or prohibition directing the district court to enter an order resolving petitioner Abdul Howard's petition for a writ of mandamus. Alternatively, Howard asks this court to vacate the pleadings and ruling on his petition for a writ of mandamus and to resolve his claims on their merits. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims raised therein, we decline to exercise original jurisdiction in this matter. See NRS 34.160; NRS 34.170; NRS 34.320; NRS 34.330; NRAP 21(b); *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) ("Petitioner[ ] carr[ies] the burden of demonstrating that extraordinary relief is warranted."). We note it appears Howard has a plain, speedy, and adequate remedy at law because

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he may appeal from the district court's denial of his petition.<sup>1</sup> Accordingly, we

ORDER the petition DENIED.



Silver

C.J.



Tao

J.



Gibbons

J.

cc: Hon. Douglas Smith, District Judge  
Abdul Howard  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>1</sup>Howard represents that the district court orally denied his petition on January 12, 2017, and it appears the district court may have entered a written order denying the petition. We express no opinion regarding the timeliness of any appeal from the order denying the petition. See NRAP 4(a)(1).