

IN THE SUPREME COURT OF THE STATE OF NEVADA

DAVID M. FROSTICK,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
ELISSA F. CADISH, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 71032

FILED

MAY 09 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
E. Wilcap
DEPUTY CLERK

ORDER DENYING PETITION

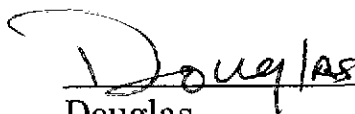
This is a pro se petition for a writ of mandamus challenging the district court's denial of petitioner David Frostick's motion to dismiss counsel and seeking the appointment of alternative counsel. Frostick contends that the district court abused its discretion by inadequately inquiring into the grounds for the motion, as required by *Young v. State*, 120 Nev. 963, 102 P.3d 572 (2004), and asks this court to dismiss the charges against him or to remand the matter to the district court for a rehearing.


Having considered the documents submitted in this matter, we conclude that Frostick has not met his burden of demonstrating that our intervention by extraordinary writ relief is warranted because he has an adequate legal remedy in the form of an appeal from his conviction. NRS 34.170; NRS 177.045; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004) (holding that an appeal is generally an adequate legal remedy precluding writ relief); *see also Garcia v. State*, 121 Nev. 327, 336-39, 113 P.3d 836, 842-44 (2005) (considering on appeal from

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a judgment of conviction a claim that the district court abused its discretion in denying the defendant's motion for substitution of counsel); *Gallego v. State*, 117 Nev. 348, 362-65, 23 P.3d 227, 237-38 (2001) (same), *abrogated on other grounds by Nunnery v. State*, 127 Nev. 749, 263 P.3d 235 (2011). Accordingly, we

ORDER the petition DENIED.

 _____, J.
Douglas

 _____, J.
Gibbons

 _____, J.
Pickering

cc: Hon. Elissa F. Cadish, District Judge
David Michael Frostick
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk