

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RICHARD ALLEN LANCASTER,
Petitioner,
vs.
THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE; AND THE HONORABLE
BARRY L. BRESLOW, DISTRICT
JUDGE,
Respondents.

No. 73227

FILED

JUL 12 2017

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

ORDER DENYING PETITION

This original petition for a writ of prohibition seeks an order prohibiting the Second Judicial District Court from taking action on a petition for a writ of habeas corpus that was transferred to that court from the Eleventh Judicial District Court. Petitioner asserts that because his petition does not challenge the validity of his judgment of conviction or his sentence it was improperly transferred to the Second Judicial District Court and should be considered by the Eleventh Judicial District Court because that is the county he is incarcerated in. *See* NRS 34.738(1).

We conclude this court's intervention by way of a writ of prohibition is not warranted. *See* NRS 34.320. Petitioner has a plain, speedy, and adequate remedy because, if his petition for a writ of habeas corpus is denied, he can challenge the transfer of his petition on appeal from the order denying his petition. *See* NRS 34.330; NRS 34.575(1); NRS

17-901418

177.045. Accordingly, without considering the merit of the claim raised,
we

ORDER the petition DENIED.

Silver, C.J.
Silver

Tao, J.
Tao

Gibbons, J.
Gibbons

cc: Hon. Barry L. Breslow, District Judge
Richard Allen Lancaster
Attorney General/Carson City
Washoe District Court Clerk