

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ROGER RAPHAEL BROWN,
Petitioner,
vs.
THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE,
Respondent,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 74467

FILED

FEB 13 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION


This original petition for a writ of mandamus and/or prohibition seeks an order directing the district court to release Roger Raphael Brown and to recuse Judge Walker from participating in his case.

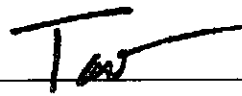
We have considered the petition, and we are not satisfied this court's intervention by way of extraordinary writ is warranted at this time. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) ("Petitioner[] carr[ies] the burden of demonstrating that extraordinary relief is warranted."). Specifically, it appears Brown has a plain, speedy, and adequate remedy available to him, *see* NRS 34.120; NRS 34.330, because he can challenge his conviction through a direct appeal or postconviction proceedings¹ and he should seek recusal of Judge Walker by


¹We express no opinion regarding whether any such challenges would be timely. *See* NRS 34.726(1) (identifying the time limit for filing a postconviction petition that challenges a judgment of conviction); NRAP

filing a motion in the district court in the first instance. Accordingly, without deciding upon the merits of any claims raised, we

ORDER the petition DENIED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Egan K. Walker, District Judge
Roger Raphael Brown
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk

4(b)(1)(A) (providing time limit for filing an appeal from a judgment of conviction).