

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MARTIN ANDRADE,
Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,

Respondent,

and

BRIAN WILLIAMS, WARDEN; THE
STATE OF NEVADA DEPARTMENT
OF CORRECTIONS; AND INSPECTOR
GENERAL'S OFFICE FOR THE STATE
OF NEVADA,

Real Parties in Interest.

No. 76727-COA

FILED

JAN 17 2010

ELIZABETH A. CLARK
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION


This original petition for a writ of mandamus seeks an order directing the Nevada Department of Corrections (NDOC) to remove Martin Andrade's security threat group designation. Andrade asserts NDOC has failed to follow Administrative Regulation 446 protocols and guidelines, and he has been denied due process and an opportunity to end his classification as a gang member. We conclude this court's intervention by way of a writ of mandamus is not warranted because Andrade has a plain, speedy, and adequate remedy at law. See NRS 34.170. Andrade's challenge to his classification as a member of a security threat group is a challenge to his

conditions of confinement that can be raised in a civil rights action.

Accordingly, without considering the merit of the claim raise, we

ORDER the petition DENIED.

, A.C.J.
Douglas

, J.
Tao

, J.
Gibbons

cc: Martin Andrade
Attorney General/Carson City
Eighth District Court Clerk